Bob Livingston's Ethics Problem

The Washington Monthly

What Doctors Don't Know

Reviews by Matthew Cooper and Gregg Easterbrook

DECEMBER 1998

$3.95
CAN. $4.95

The Clinton-Lewinsky

OBSESSION

How the press made a scandal of itself.

by Todd Gitlin

12>
0 74470 65748 4

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Why Our Union Won't Be Giving To United Way This Year.

"Last year, members of Pipefitters Local 602 helped Habitat for Humanity construct five, two-story homes in southeast Washington, DC for low-income families. Apprentice Paul Grant said 'you always wonder how to give back to the community, and this is a great way to do it.' His comment typifies the attitude of UA members all across North America.

There is a full-page feature on the inside front cover of every issue of our UA Journal entitled 'The Heart of the UA' that chronicles the acts of charity of individual locals around the country. We believe in giving!

That is why it disappoints me to pull our union out of United Way, because since its inception organized labor and its millions of members have been staunch supporters.

The genius of United Way has been its ability to bring every facet of the nation together for united giving—including business and labor.

United Way has never been political, and neither union nor corporate officials who participate in United Way ever endeavored to misuse the organization for political reasons.

That ended this past spring. When United Way's policy staff issued a stinging rebuke of Prop. 226 in California, (the so-called "Paycheck Protection Act") anti-union employers supporting the Act were furious. They demanded that United Way repudiate the staff report. And the United Way leadership caved to their demand.

What United Way rescinded was a staff warning that Prop. 226 was so poorly drafted it would "cause a variety of adverse consequences for nonprofits."

The Chronicle of Philanthropy, the nation's leading publication on charitable giving, agreed, informing readers that Prop. 226 "is written so broadly that it applies not only to union dues, but also to charitable contributions."

This was a message anti-union employers didn't want to hear, so they brought pressure on United Way to deny what every responsible person knew to be true: that Prop. 226 was hazardous to the health of every charity.

United Way took the corporate side on a political issue critical to working families all across America. California voters wisely defeated Prop. 226—no thanks to United Way.

Our union will in no way reduce its charitable giving—we'll simply give elsewhere, and the new endeavor we are proud to support is the Buoniconti Fund to Cure Paralysis.

Martin J. Maddaloni
General President

We will resume support but not until the United Way leaders restore their pledge to the slogan **"Labor Cares-Labor Shares."**

THE PLUMBERS, PIPEFITTERS & SPRINKLERFITTERS UNION · UNITED ASSOCIATION

P.O. Box 37800, Washington, DC 20013 (202) 628-5823

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Contents

The Washington Monthly
Volume 30, Number 12 • December 1998

Features

4 TILTING AT WINDMILLS
A King's Compliment . . . Hinckley's Holiday . . .
Tripp's Step . . . Ground Truth . . .
The Case of the Vigilant Taxpayer . . .
BY CHARLES PETERS

8 **What Doctor's Don't Know**
HMO's aren't the only thing wrong with American Medicine.
BY MICHAEL L. MILLENSON

13 **The Clinton-Lewinsky Obsession**
How the press made a scandal of itself.
BY TODD GITLIN

20 **Making Criminals Pay**
How the courts can cut crime and save money.
BY ROBERT WORTH

30 **The Speaker**
What you should know about Bob Livingston.
BY ALEXANDRA STARR

Stumped for gift Ideas?

The *Monthly*'s annual **Holiday Booklist** is here with our best picks from 1998.
See page 52.

On Political Books

36 **Beyond Satire**
Tom Wolfe shows he can write with depth and sympathy.
BY MATTHEW COOPER

40 **Death of a Peacemaker**
Yitzhak Rabin's murder revealed a lethal rift in Israeli society.
BY JOSHUA A. BROOK

45 POLITICAL BOOKNOTES
Reviews by Gregg Easterbrook, David Ayer, Peter Overby, and James A. Fallows, M.D.

Departments

2 **Letters**

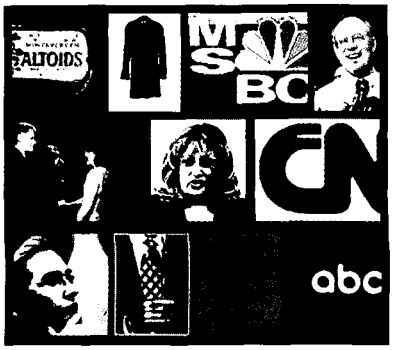
26 **Who's Who**

25 **Monthly Journalism Award**

29 **Memo of the Month**

44 **Tidbits & Outrages**

COVER ART BY JOSHUA BARLOW



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Letters

Viagra's Value

The article on Viagra ("Love Potion No. 9.1," October 1998) by Michelle Cottle does make a point or two, but I would argue with one of her main contentions.

I teach in the area of aging, and one important point in this field is that as people age, there are few problems that are caused by aging itself. If a 60- or 70-year old man suffers from erectile dysfunction, for example, there is almost certainly a reason for this other than his age. The cause may be an illness such as diabetes, certain medications he is taking, a spinal cord injury, surgery, psychological reasons, or something else. Rather than resign himself to his limitation, the man may very well be helped.

Many men have had problems following prostate surgery, and if help (such as Viagra) is available, why should they not take advantage of it? This need not mean the man is focusing only on his sex life; this is just one part of his overall lifestyle.

I don't think it's a valid comparison to point to women over 65 who can no longer have children. Many women who can no longer have children can enjoy sex, and why shouldn't they?

CHARLES E. BURTON
Dallas, TX

In the October 1998 *Washington Monthly*, Michelle Cottle warns us that Viagra may lead to "senior and middle-aged men ... trying to charm an impressionable young intern out of her pantyhose" ("Love Potion No. 9.1"). She even suggests that there's something wrong with such men trying to have sex not with other women, but with their own wives.

Elsewhere in the same issue, however, Charles Peters tells us that when a middle-aged man—in this case, a married one—has indeed charmed an impressionable young intern out of her pantyhose, the act deserves "an 'ugh' from us all. No more."

Which is worse? The unabashed extramarital affairs of a middle-aged president, or those of an unknown geriatric? Yet *The Washington Monthly* would have us believe that while the former deserves "no more" than an "ugh" from us all, the latter deserves a cover story.

DANNY DEJARNETTE
via e-mail

Clinton's Lies

In "Tilting at Windmills" (October 1998), Charles Peters minimizes Clinton's perjury, writing, "Men who commit adultery lie to protect the feelings of their wives and to protect themselves from the anger of their wives." But he leaves out another reason why they sometimes lie—to protect themselves against damaging financial judgments in sexual harassment lawsuits.

I don't know how much credence Paula Jones deserves, although I'm willing to allow her a lot more now than I was a year ago. But whatever her motives, no one can deny that she had the right to file her suit—and that the president had no right to lie under oath in an effort to protect himself against an expensive settlement. I voted for Clinton, but when I take Deep Throat's classic advice—"follow the money"—I find a serious crime has been committed for (among other things) the purposes of financial gain.

JONATHAN D. MUEHL
via e-mail

Regarding your "Which Side Are You On" (October 1998): Conspicuously missing on the Sympathetic side were those antagonistic to Starr.

There are those, a significant number, I hope, who believe that the politically partisan, inquisitorial attempt to destroy Bill Clinton, the man, his presidency, and then his marriage involved a gross violation of his privacy, as well as that of Ms. Lewinsky.

This was a violation compounded by the needless release of the material by the Republican Congress and then by the press.

It was Congress who brought smut into the American Home; Clinton did everything he could to keep it suppressed.

R.E. REINERT
Washington D.C.

Waste Words

Doesn't *The Washington Monthly* have anything better to worry about than the low-flow toilet controversy? We have two such commodes, one of them a $39 cheapie installed by amateur labor (mine), and they both work. The only fuss I've seen about 1.6 gpf toilets has been in columns by the rightwing oddball Thomas Sowell, and I had assumed that his repeated outbursts signified only that he was unusually full of what toilets are designed to dispose of.

MARTIN BERGER
via e-mail

Think Smaller

In "Reinvention Lite," (September 1998) Robert Worth points to continuing failures of the federal government in a host of different areas. We agree with some of his points and quibble with others. But frankly, Worth's article misses the point.

The point is not whether we can continue to document problems in the federal government. Of course we can. The point is whether we are making progress—and we are. The vice president's Reinventing Government initiative is the longest-running and most successful government reform effort in U.S. history. Some of our major accomplishments include saving the American taxpayer $137 billion, cutting government size by 351,000 positions (to its smallest size since John F. Kennedy was president), and eliminating more than 16,000 pages of regulations.

We are also doing a much better job of serving our customers. An independent survey by Dalbar Financial Services rated Social Security Administration's toll-free number, which gets more than 120 million telephone calls annually, better than companies like Disney and L.L. Bean in courtesy, responsiveness and knowledge. The Internal Revenue Service has expand-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ed its telephone service hours to help the 60 million Americans who need help from five to six days a week. Next year 24-hour service will begin during tax season. The Department of Education now provides on-line student loan applications for college students (and their parents). The forms are easier to fill out and generate a quicker response.

When the Vice President set out to reinvent government in 1993 he made it clear that the effort would take from eight to ten years to complete. But we're ahead of schedule and that is something all Americans should be proud of.

MORLEY WINOGRAD
DIRECTOR,
NATIONAL PARTNERSHIP FOR
REINVENTING GOVERNMENT

Terror Handbook

A step-by-step script for blowing up the Capitol? Show and tell for car bombers? A Terrorist Textbook even the most simple-minded could follow? I am SO mortified that your usually upstanding and normally responsible publication printed the "Achilles Heel" article by Jason Bryson-Alderman (October 1998).

What's next? The recipe for a lunch box nuke you can carry to your job at the U.N.? Perhaps we can look forward to *The Washington Monthly* publishing "The 10 best ways to bring down a jetliner on a busboy's salary."

I certainly hope you've had second thoughts about the "Achilles Heel" piece and won't print anything as irresponsible again.

BOB HARPER
via e-mail

The Swiss Fix

Joseph A. Califano, Jr.'s explanation of the cause of "drug crime" neglects the historic fact that addicts were not robbing, whoring, and murdering over drugs when they could buy all the heroin, cocaine, morphine, opium, and any other drug they wanted cheaply and legally at the corner drug store. The criminal activity Califano blames on drug abuse didn't begin until *after* the drug law went on the books.

The reason addicts steal to buy drugs is because prohibitionists like Califano have sustained and promoted a criminal black market that increases drug prices 20 fold over their free market prices.

That drug prohibition is the direct source of "drug crimes" is demonstrated by the Swiss Heroin Maintenance Program, where addicts were supplied with cheap pure heroin. Within six months, participation in criminal activity among the patient group dropped over 60 percent and eventually declined more than 90 percent. Being able to get cheap or free heroin eliminated the need to steal and to obtain drugs, and permanent employment more than doubled.

When the Swiss added up the costs, they were pleased to find that the heroin maintenance program saved them over $70 (U.S.) per patient in reduced police, prison, and health costs. The Swiss are so pleased with the reductions in property crime and money savings that they made heroin distribution a national policy.

Alcohol is the only drug known to cause violence and crime as a direct result of its effects. Indeed, alcohol abuse is responsible for a hundred times more crime and violence than the rest of intoxicating drugs put together.

Strangely Califano never suggests prohibiting alcohol, which is far more dangerous than drugs. Could it be because "Smokin' Joe" knows about the disaster the alcohol ban brought? If prohibition didn't work for alcohol, what makes Califano think drug prohibition can ever work?

REDFORD GIVENS
via e-mail

Character Counts

Is Rick Shenkman serious? How could he possibly justify writing "If we find a man likable and approve of the job he's doing, then perhaps we should overlook his lies." ("Sex, Lies & Presidents," October 1998). Democrat or Republican, presidents should be held to the highest standards possible, simply because of the nature of their work.

SEAN J. CAMPBELL
via e-mail

The Washington Monthly

Editor in Chief Charles Peters
Publisher Megan Dominish
Editors Alexandra Starr, Robert Worth
Contributing Editors Jonathan Alter, Thomas N. Bethell, Tom Bethell, Taylor Branch, Matthew Cooper, Michelle Cottle, Gregg Easterbrook, James Fallows, Paul Glastris, Mickey Kaus, Phil Keisling, Michael Kinsley, Nicholas Lemann, Suzannah Lessard, Arthur Levine, Jon Meacham, Matthew Miller, Timothy Noah, Joseph Nocera, Leonard Reed, John Rothchild, Jonathan Rowe, David Segal, Walter Shapiro, Joshua Wolf Shenk, Scott Shuger, Steven Waldman
Editorial Advisory Board Charles W. Bailey, James David Barber, Edgar Cahn, David Halberstam, Richard Reeves, Hugh Sidey
Business Manager Lydia Polgreen
Production Manager Joshua Barlow
Assistant to the Editor Pam Matthews
Interns Kendra Ammann, Shauna K. Wreschner

Subscription rates: U.S. and possessions: one year, $39.95; two years, $76.95; three years, $109.95. For Canadian and foreign subscriptions, add $7 for surface delivery; air mail delivery add $32. Back issues, $5. Send correspondence concerning subscriptions, undelivered copies, and address changes to 1611 Connecticut Ave., NW, Washington, DC 20009. For address changes, provide six weeks' notice and include old address label. Send subscription complaints to Charles Peters, *The Washington Monthly*, 1611 Connecticut Avenue, NW, Washington, DC 20009. *The Washington Monthly* is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. For reprint rights call Sheryl Sherwin at (202) 462-0128. Published monthly except combined Jan./Feb. and July/Aug. issues by The Washington Monthly Co., 1611 Connecticut Ave. NW, Washington, DC 20009. Printed in U.S.A. © 1998 The Washington Monthly Co. All rights reserved. Reproduction without permission is prohibited. ISSN 0043-0633. Postmaster: Send change of address to *The Washington Monthly*, 1611 Connecticut Ave., NW, Washington, DC 20009. Periodicals postage paid at Mechanicsburg, PA. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope. Send manuscripts and letters to: Editors, 1611 Connecticut Ave, NW, Washington, DC 20009 or e-mail to: **editors@washingtonmonthly.com.**

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tilting at Windmills

BY CHARLES PETERS

A King's Compliment • Hinckley's Holiday • Tripp's Step • Ground Truth • The Case of the Vigilant Taxpayer

"IT'S IMPEACHMENT OR NOTHing, Panel is Told by Experts," was the headline of the lead story in *The New York Times* of November 10. The subhead was "Scholars Warn Lawmakers that Compromise Like Censure is Not in Constitution." Readers who managed to get to the article's tenth and eleventh paragraphs must have been astonished to learn that at least two constitutional scholars, including the only witness to appear under the sponsorship of both parties, had declared that censure was a legitimate option. One pointed out that censure had been used against five judges and presidents Jackson and Polk. You don't have to know much about constitutional law to know that Congress can pass a resolution of censure against anyone it wants to. It may not have the right to call Bill Clinton into the well of the House to listen to a lecture, as Gerald Ford recommended in *The New York Times*, but its power to give the lecture is beyond question.

••••••••

IF YOU ARE SOMETIMES SUSPICIOUS of polls, you will be interested in the range of answers that the Pew Research Center for the People and the Press got to the question, "How often do you vote?": 62 percent answered, "Always" in September 1997. But just two months later, in November, only 42 percent answered "Always." One of these figures has to be wrong. Maybe both are. Or maybe the truth lies somewhere in between.

••••••••

AS I WATCHED, COURTESY OF C-SPAN, the world leaders who had negotiated the Wye memorandum make their statements to the press in the East Room of the White House, I was struck by the words King Hussein addressed to Clinton: "Mr. President, I've had the privilege of being a friend of the United States and presidents since the late President Eisenhower. And throughout all the years that have passed, I have kept in touch. But on the subject of peace, the peace we are seeking, I have never, with all due respect and all the affection I held for your predecessors, have known someone with your dedication, clearheadedness, focus, and determination to help resolve this issue."

Bureaucrats often mutter about their bosses' misdeeds but only rarely are they willing to sacrifice their nice jobs as Maxey has done.

To the best of my knowledge, this statement was not shown on any of that evening's news shows. It was omitted in the transcript of Hussein's speech that appeared the next day in *The New York Times*. The first time I saw attention paid to it was in a column the following week by *Newsweek*'s Jonathan Alter.

It would be nice if this would turn out to be the last example of media unfairness to Bill Clinton. That's unlikely, given the number of hard-core Clinton haters who remain in powerful positions. But there have been signs since the election of an abatement of the hysteria that reigned in the press from January through October. Since the attention given the Lewinsky story is the most disproportionate I've seen in the press in my lifetime, it's good to see that at least some of my colleagues are regaining their senses.

••••••••

THOSE OF YOU WHO FONDLY remember Paddy Chayevsky's great satire on the medical profession, "Hospital," with George C. Scott and Diana Rigg, should be sure to see "Critical Care," a new film with Albert Brooks, Helen Mirren and James Spader. At one point, a cynical physician played by Brooks asks, "How do you avoid the trouble of preparing a living will [telling doctors when you want them to stop using expensive medical procedures to keep you alive]?"

His answer: "Don't have any health insurance."

••••••••

WHEN ONE OF THOSE BIG trucks looms in your rear view mirror, do you feel just the faintest tinge of apprehension? If so, your fears are well-founded. More than half of the 42,256 trucks inspected by Virginia State Police during 1997 were defective, reports *The Washington Post*'s Alice Reid. She adds, "more than 20 percent were in such bad shape that authorities took them off the highway." And if you're thinking Virginia may be unusual, nationwide 22 percent of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

all trucks inspected must be taken off the road.

Defective vehicles are only part of the problem. In Virginia 45 percent of the inspected trucks' drivers had traffic violations on their record, 9 percent serious enough to require taking the driver off the road. Of course, a lot of drivers escape inspection and continue to operate their trucks despite bad safety records. One of them recently slammed his dump truck loaded with gravel into a school bus, injuring the bus driver and 17 children, one of them critically. The truck driver's record included an arrest for drunk driving and drug possession. And his license had been "suspended or restricted twice in the last 18 months."

In addition to the threat they pose to people traveling on the highways, big trucks pose a danger to the highways themselves. In West Virginia, the *Charleston Gazette* recently observed, "Everyone knows that coal trucks routinely run up to twice the legal weight, yet nothing is ever really done about it. These mammoth trucks pulverize roads and endanger other drivers."

••••••••

POLLSTER GEOFF GARIN RECENTLY explained on C-SPAN why the Democrats did so well in last month's election. He said that 20 percent of the voters polled on election day expressed a combination of respect for Bill Clinton as president and disdain for his personal life. Two-thirds of this group voted Democratic.

••••••••

AS WE GO TO PRESS, CONGRESS is listening to more testimony about whether Bill Clinton lied about his sex life, and I am reading an article that reminds me of the lies tobacco executives told Congress in 1994. The lies they told weren't about the personal lives of the executives. Instead they were about something clearly affecting the public interest, namely the public's health. The lies, in case you've forgotten, were that nicotine is not addictive and that they had done nothing to manipulate the level of nicotine in their product. Congress did nothing about those lies. To me, they were much more important than Bill Clinton's.

••••••••

YET A WASHINGTON POST EDITORIAL asks for even more testimony in the Clinton case: "The factual record that now exists is not conclusive on certain key points, particularly whether President Clinton instructed Betty Currie to retrieve from Ms. Lewinsky gifts he had given her." A key point? For a congressional hearing on impeachment? We all know that Bill Clinton attempted to cover up his misbehavior with Lewinsky. The question that Congress—and the *Post*—should have asked before the hearing began was did all credible evidence about the Lewinsky affair taken at its worst amount to an impeachable offense. If not, there is no point in hearing more about Betty Currie or the other evidence, almost all of which we have heard repeatedly anyway.

••••••••

IF YOU'RE GETTING ON IN YEARS you may be thinking about moving into one of the 2,700 residential retirement facilities that offer to take care of you for the rest of your life, from the time you're relatively independent to the time when you're bedridden and require nursing assistance. The deal often sounds good. But sometimes it isn't. If you are required to pay a large down payment, you could lose it all and end up uncared for if the facility goes bankrupt.

This is exactly what happened to William and Creta Sabine, according to Michael Moss of *The Wall Street Journal*. They sold their home in Scottsdale, Arizona and paid $143,500 in entrance fees to the Park Regency Village in Phoenix which also required them to pay almost $3,500 per month for taking care of them and Mrs. Sabine's sister. "Nine months after they moved in," reports Moss, "Park Regency's owner called everyone into the facility's dining room to say he was filing for bankruptcy-court protection."

There is little regulation of these places. Fourteen states don't have any rules. Most of those that do have rules don't require operators to have reserves or other safeguards to make sure the entrance fees aren't squandered. And most states do not, notes Moss, monitor the claims made in sales brochures.

••••••••

JOHN HINCKLEY'S LAWYERS GOT him a soft deal when they succeeded in having him committed to St. Elizabeth's Hospital instead of being imprisoned for the attempted assassination of Ronald Reagan and the shooting of a D.C. police officer, a Secret Service agent, and James Brady, the White House press secretary. Now they want him let out for a holiday dinner with his parents and girlfriend. The severity of his incarceration is suggested by the fact that the dinner is called an "off-campus visit" by St. Elizabeths. When I think of James Brady still confined to that wheelchair, I vote to keep Hinckley confined to campus.

••••••••

NOW FOR A KIND WORD ABOUT the *Post*, or to be more precise, about Liza Mundy, a columnist with the *Washington Post Magazine*. Mostly she writes first-person accounts about experiences she's had that illuminate truths about life. A recent one dealt with our growing incivility to one another. The scene was in the shower room of Mundy's health club. One woman left the room with her shower still running. Another woman shouted after her, "Turn that water off!"

The first woman returned, looking mortified to shut the water off. She tried to explain, "At the pool where I usually go, the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

showers turn themselves off."

"You had to turn it on to begin with, didn't you," said the enforcer, "so it stands to reason you have to turn it off when you finish!"

The first woman fled. And the enforcer turned triumphantly to the other women in the room and said, "I pay my taxes. I don't want my water wasted."

A few minutes later, writes Mundy, "as the vigilant taxpayer continued to shower, secure in her frugality and rectitude—a sort of piscine Kenneth Starr—the water waster padded barefoot into the shower area, clutching her towel. 'You didn't have to be so, so mean about it!' she sputtered helplessly."

Many of my most intelligent friends devour detective fiction. Why not try the real thing?

Of course, she's right, we don't have to be so mean about each other's shortcomings, we need to have a sense of proportion, we need to avoid self-righteousness.

••••••••

THOSE QUALITIES HAVE NOT been manifested in the Clinton-Lewinsky case by Ken Starr or the *Post*'s editorial writer, Meg Greenfield, or by the great majority of the American press. How can they solemnly intone heavy words like "perjury," "obstruction of justice," and "constitutional process" about a cover-up of consensual sex!

Clinton's sexual shenanigans are the proper subject for well-deserved jokes by late-night comedians and for gossip that we find as delicious as everyone else does. But they are not the proper subject for grand jury investigations and Congressional committee hearings.

••••••••

LINDA TRIPP JUST GOT A RAISE. She now makes $90,767 a year. How could she get a raise when no one can explain what she's doing to earn any salary from the Pentagon? According to Reuters, the Pentagon's spokesman, Navy Capt. Mike Doubleday, "declined to give any details of her current duties."

Doubleday did say, "If an employee were judged to be performing unsatisfactorily, they would very well not get that [raise]."

In fact, 99 percent of federal civil servants get those "step" or "merit" increases whenever they are eligible. So Tripp is merely another example, if a grotesque one, of a sad truth about the civil service generally. Far too many raises are awarded automatically without regard to the performance of the employee.

••••••••

THE MAIN PROBLEM with the police is incompetence. Consider the District of Columbia's record on burglaries. District police have a closure rate of 5 percent on burglaries. As usual, they are worse than other departments. But the national closure rate on burglaries is only 14 percent.

And even that doesn't tell you how bad the situation really is. Consider the definition of closure. "A case is considered solved or closed," according *The Washington Post*'s Cheryl Thompson, "when there is an arrest, the suspect is dead, or authorities don't have enough evidence to prosecute." So those five percent and 14 percent figures don't mean they caught the burglar and put him in jail. In fact all they really seem to mean is that someone summoned the energy to mark the file "closed."

Why don't more bright people become detectives? Many of my most intelligent friends devour detective fiction. Why not try the real thing? It has to be more interesting than corporate law or taxation, trusts and estates, and the other less than exciting subjects that dominate the workday of most of the brilliant people I know who have become lawyers.

••••••••

ANOTHER GREAT TRUTH ABOUT the career service comes from Defense Secretary William Cohen who recently complained to journalists that reports reaching him from subordinates have often been "sanitized," "filtered," and "softened," as they have traveled up the bureaucratic ladder from the field to his desk. "Much of that information that we receive from regular channels, by the time it gets to Army Secretary [Louis] Caldera or me, doesn't have the same intensity" as when it was first written, he noted. "Sometimes the complaints don't come all the way to the top."

If you've ever worked in a bureaucracy you know there is a tendency to soft-pedal the bad news and exaggerate the good as it climbs the chain of command. One way an agency head like Cohen can be sure he knows what's going on is to make frequent visits to the field but not give advance notice of those trips. Too often, according to Ernest Blazar, who writes a knowledgeable column about the Pentagon called "Inside the Ring," Cohen gives the bases he plans to inspect time to arrange dog-and-pony shows to conceal unhappy truths about their operations. This keeps him from finding about what service people call "ground truth," which Blazar defines as "an unvarnished version of reality stripped of staff gloss and polish."

••••••••

THE SCANDAL OF MOUNTAINTOP removal in my home state of West Virginia has inspired at least two men to display unusual courage by acting against their own interest in order to serve the public. Cecil Roberts, the president of the UMW, has risked the wrath of his union members by saying that protecting the environment is as important as protecting jobs. "This union has a proud history of working not only in the interests of its own members but on behalf of all working people and the com-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

munities they live in. We fully intend to uphold that tradition."

The other hero is Bill Maxey, the State Forestry Director who resigned in protest against Governor Cecil Underwood's mountaintop removal policy. Bureaucrats often mutter privately about their bosses' misdeeds but only rarely are they willing to sacrifice their nice jobs as Maxey has done.

Just in case you don't know what mountaintop removal consists of: In order to get at the coal beneath, the mountaintop is sliced off and dumped into the adjacent valleys. This has resulted—or will result under permits already issued—in the burying of 470 miles of West Virginian streams. "In addition to the habitat losses," reports the U.S. Fish and Wildlife Service, "the fills have displaced thousands of acres of deciduous hardwood forest.

••••••••

THOSE OF US WHO ARE AGAINST affirmative action when it involves racial preference must face the consequences of our views. At UCLA, the 1998 freshman class, the first to enter after the implementation of the anti-affirmative action Proposition 209, had 3,775 members, with 160 blacks compared to the 230 in 1997, 485 Chicano and Latino students compared to 590, and 15 American Indians compared to 40. So we have a problem. But the answer is not to let more unqualified people into our universities. It is to produce more high school graduates who *are* qualified for college.

••••••••

AFRICAN-AMERICAN STUDENTS generally do not do so well as whites on their SATs. But some do. Five percent of black males and four percent of black females who take the test score 1200 or better, and this is so even though they are likely to have had fewer advantages than white students who score that high. In other words, black kids can achieve even when the deck is stacked against them. What explains their success?

According to a recent study by the Mellon Foundation and the Urban Institute, one factor is having attended Catholic or other private schools that require a rigorous college preparatory curriculum. The lesson for the public schools is to get rid of their junk and challenge students with more demanding courses. This in turn will produce more black students who can get into college on merit, without the crutch of affirmative action.

••••••••

GROWING UP IN WEST VIRginia, it was not hard for me to develop a suspicion that the coal companies might not always be good guys. I had similar feelings about the chemical companies, whose pollution of the air rivaled the pollution of water and land by the coal companies. So I was delighted to see that last month my old friend Richard Neely persuaded a jury to sock it to the FMC Corp. to the tune of $38.8 million for the damage it did by the careless release of hydrochloric acid.

••••••••

THE CONSERVATIVES WHO SO enthusiastically supported welfare reform may be interested to learn one of its effects: an increase in abortions. The family cap, which was designed to end the practice of giving increased benefits to mothers who have more children while on welfare, has resulted in 14,000 fewer births but has also produced 1,400 more abortions, according to a study conducted by Rutgers University and reported by Cheryl Wetzstein of the *Washington Times*. The decline in illegitimacy is, of course, something the conservatives sought, but the 1,400 abortions sounds like one of those unintended consequences conservatives so love to ridicule when they happen as a result of liberal legislation.

••••••••

"MAKE BELIEVE = SURVIVAL IS the Washington Equation." That's what I said in my book, *How Washington Really Works*, first published 18 years ago. Does it still hold true? The answer is, not always, but there's still some life in the old theory. Witness the banking bill in the last Congress. Some form of this legislation has been before Congress for twenty years but it never passes. Nonetheless, it employs a vast number of Washingtonians as lobbyists who in turn contribute vast sums to Congressional campaign funds. Legislative inaction means that both the lobbyist and the congressman flourish. Make believe = survival. ○

We have lost two of our alumni in recent months: James Rice and Christopher Georges. Jim was our publisher in the mid-'80s. Thereafter, even when he was working full time at demanding posts at other publications, he never stopped trying to devise ways to make the *Monthly* profitable. For this Quixotic quest, the devotion he brought to it, and his personal kindness to so many members of our staff over the years, we are immensely grateful.

Chris was a fine reporter, as anyone who has read his articles knows. From his groundbreaking 1993 *Monthly* article explaining how the media had already turned against Clinton, to his notable series on the issues of welfare reform for *The Wall Street Journal*, he displayed an unmistakable flair for original journalism. But most of all, we at the *Monthly* will remember Chris for his humor, which lightened our lives, especially during that desperate 10 days or so just before we go to press. He was funny but never hurtful. Like Rosalind's in "As You Like It," his was the laughter that loves.

—The Editors

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

What Doctors Don't Know

HMOs aren't the only thing wrong with American Medicine

BY MICHAEL L. MILLENSON

IN EDGAR ALLAN POE'S "THE PURLOINED Letter," the protagonists overlook the crucial clue that is sitting right in plain sight: a letter left casually on a desk. Today, a similar near-willful blindness prevails among those who present the managed care industry as the leading threat to the quality of American medicine. Implicitly, this view defines high-quality care as consisting of immediate access to treatment. While that is obviously important, the critics ignore a separate issue whose equal significance should be glaringly obvious: What happens to the patient once he or she actually reaches the doctor or hospital?

It would be nice if good medical care simply consisted of preferring the physician's judgment over that of "insurance company accountants," as President Clinton put it in his 1998 State of the Union address. Indeed, the argument that the public is faced with a choice between medical decisions made by "good" doctors or "bad" bureaucrats (albeit private-sector bureaucrats) has been sounded by everyone from anti-managed care politicians to (surprise) indignant representatives of various physician organizations. Preserving physician freedom is presented as the way to "preserve" high-quality care; any other path leads inexorably to ruin.

Unfortunately for the health of patients, this story line is a gross oversimplification. There's no question that the business ethic of some health plans can dangerously distort medical decision-making and has sometimes done so. Yet the larger truth about our health-care system is at once more complicated and much more unsettling.

From ulcers to urinary tract infections, tonsils to organ transplants, back pain to breast cancer, asthma to arteriosclerosis, scores of thousands of patients are dying or being injured every year because the best scientific information on how to care for them is not being put into practice by physicians. If one counts the lives lost to preventable medical mistakes, the toll jumps even higher.

In the scientific literature, the struggle to put medical theory into practice goes by the genteel term "evidence-based medicine." Kenneth I. Shine, president of the Institute of Medicine, phrases the problem this way: "If we asked the question of whether physicians have based their practice on scientific principles," he says, "it is clear that the profession has been sorely lacking."

Put in Clintonian campaign terms, however, the problem is easy for a layperson to understand: "It's the doctors' decisions, stupid."

What Doctors Don't Do

Most patients would be surprised to know what their doctors don't know—or don't put into practice. Even the best-trained doctors go about their work with an astonishingly shallow base of knowledge concerning the link between what they do and how it affects a patient's health. For instance, more than half of all medical treatments, and perhaps as many as 85 percent, have never been validated by clinical trials. But even when there is scientific evidence about what works best, large numbers of doctors don't apply those findings to actual patient care.

A prime example of the latter problem is the treatment of ulcers, a common and painful condition that will afflict an estimated 25 million Americans at some point in their life. Back in 1988, the prestigious British journal *The Lancet* published the results of a clinical trial that showed that most ulcers were actually caused by a bacteria called *H. pylori*. Patients didn't have to spend their lives taking anti-ulcer medications to control acidic secretions; the bacteria could be eradicated and the ulcer cured.

A study replicating this research appeared in a major

MICHAEL L. MILLENSON, *a Chicago based consultant, is the author of* Demanding Medical Excellence: Doctors and Accountability in the Information Age *(University of Chicago Press).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

American journal in 1991. A consensus panel from the National Institutes of Health endorsed the anti-bacteria ulcer treatment in 1994. Yet today, half of all U.S. doctors still aren't testing their ulcer patients for *H. pylori* and prescribing the right therapy, according to the federal Centers for Disease Control and Prevention. Managed-care financial incentives have nothing to do with this problem. Indeed, if anything they should work in the opposite direction—it's cheaper to cure a patient than to keep paying for maintenance drugs.

But to truly understand the consequences of failing to apply evidence to practice, one need only look at treatment of heart disease, the number one killer of both men and women in the United States. Heart disease is common, and it is expensive (total health care costs for cardiovascular disease are more than $150 billion annually). To listen to the managed-care debate, one might think the most pressing problem in cardiac care is getting people directly to the hospital emergency room without waiting for pre-approval from their health plan. (And forget for a moment that only 1 of every 9 visits to the emergency room for chest pain results in a confirmed heart attack.) The medical literature, however, paints a very different story than the one heard on the nightly news. It's a tale of wasted money and of unnecessary patient deaths and complications that has nothing to do with health plans. To give just a few examples:

AFP PHOTO EPA/ANTONIO.BAT

● Inappropriate invasive procedures are distressingly prevalent. Harvard University researchers found that one quarter of the heart bypasses, angioplasties and catheterizations (measuring blood flow and blood pressure in the heart) performed on elderly heart attack victims have no effect on patient survival. In other words, thousands of these expensive treatments—which pose a significant risk of complications or death—could probably be eliminated.

● Proven drug therapies, meanwhile, go unused. A New Jersey study found that just one-fifth of eligible heart attack victims received beta blocker therapy that could have increased their chances of survival by as much as 43 percent. Other studies have found much the same problem. By one estimate 18,000 people die each year from heart attacks because they did not receive effective interventions. Meanwhile, one-third of heart-attack survivors in one study left the hospital without their doctor telling them to take an aspirin a day to help prevent another attack.

● Some hospitals are performing heart surgery even when their doctors haven't performed the operation often enough to keep their skills up. There is a long and well-documented connection between a hospital's performing a high volume of bypass surgeries and increased patient survival. Yet nearly one-third of the 1,023 U.S. hospitals performing open-heart surgery in 1994-95 performed fewer than the 200 cases per year that groups such as the American Heart Association recommend as a minimum, according to Medicare data. In California, 56 percent of the hospitals were below the 200-case minimum, a recent study found. It makes a difference. In New York State in 1995, one hospital that performed only about half the recommended number of bypasses had a morbidity rate *over twice* the state average. Traditionally, bypass surgery has traditionally been a prestigious and highly profitable service. That may or may not explain why the profession has not enforced its own standards.

Reports like these led to a damning indictment of the quality of care by the prestigious National Academy of Sciences' Institute of Medicine. The IOM report, in the September 16, 1998 issue of the *Journal of the American Medical Association* (JAMA), cited some of the above examples and concluded that "serious and widespread quality problems exist throughout American medicine... very large numbers of Americans are harmed as a direct result." The IOM consensus report added pointedly, "Quality of care is the problem, not managed care."

The Making of a Non-Scandal

One would think that the glaring disconnect between research-based medicine and everyday practice would be a national scandal. The evidence, after all, is in plain sight. Moreover, some big names in the policy world are even starting to talk about the problem.

Earlier this year, the presidential Advisory Commission on Consumer Protection and Quality issued an

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

extraordinary indictment. The commission wrote: "Exhaustive research documents the fact that today, in America, there is no guarantee that any individual will receive high-quality care for any particular health problem." American medicine, it added, was plagued by "overuse, underuse and misuse." In other words, the heart disease examples cited earlier are the rule, not the exception.

The press, however, glued to the politically hot "patient bill of rights," has virtually ignored other causes for the wildly varying quality of patient care. The reaction to reports on deaths due to preventable medical mistakes has been ho-hum. Earlier this year, when the Centers for Disease Control and Prevention released a report stating that 50,000 people die each year from infections caused by their hospitalization, *The New York Times* put the story on page A12. A close reading of the story revealed that the last time the CDC looked closely at infections in hospitals was nearly 25 years ago! What went unstated in the report is that no governmental or private agency requires hospitals to have either a standardized definition of an infection or report on its infection rate to anyone.

So where is the outrage? In large part, the absence of scandal may be due to the equal absence of identifiable victims. The classic medical exposé is about "bad" doctors. A man who has had the wrong foot amputated by a surgeon or a woman who has been sexually molested by her internist knows something went wrong. And, indeed, incompetent or impaired doctors remain a problem. Public Citizen Health Research Group estimates that one percent of doctors nationwide "deserve" some disciplinary action each year, yet Federation of State Medical Boards data show an average of just 3.84 actions per 1,000 physicians in 1997. Moreover, patients in a state like Florida may wait as long as two years for their complaint even to be heard.

Similarly, health-plan members with access problems often know when they've been mistreated, as was the case with the Washington representative of a health-care organization who was told that being taken unconscious to the ER was no excuse for not getting pre-authorization approval.

By contrast, the heart-attack patient who doesn't receive beta blocker therapy or isn't told to take an aspirin on discharge most likely won't have a clue that his life was put at risk. That's particularly true if some sort of therapy is prescribed and the doctors and nurses appear to be working hard and doing their best. (Of course, a few patients don't take any chances. An older physician I know who lives in a rural area carries beta blockers and aspirin in his wallet, along with instructions to the hospital on their use, just in case.) Similarly, the patient who receives an unnecessary angioplasty has no way of knowing that it was unneeded—except, perhaps, when some health plan reviewer objects, and the patient becomes outraged that the HMO is rationing care. And in the case of hospitals doing a low-volume of bypass surgery, it's hard to prove that any individual patient was harmed.

Perhaps the best example of a quality lapse where the victim is unlikely to complain involves autopsies. A recent JAMA study of autopsy results found that doctors failed to diagnose cancer properly in a shocking 44 percent of cases. Yet the frequency of autopsies is at a record low, in part because an unperformed autopsy is likely to generate a grateful family, not a dissatisfied one ready to complain to its local TV news team.

But it's not only the lack of easily-identifiable victims that's kept evidence-based medicine off the public radar screen. There are also political and economic reasons. Take the American Medical Association, which for a time actively sought out HMO horror stories for the media and Congress. While the AMA's scientific arm is a leader in the fight for evidence-based medicine, its political arm is devoted to protecting doctors' autonomy. Sometimes, that's pro-patient, as when the AMA battles unreasonable managed-care rules. Other times, it's pro-pocketbook of doctors, as when the AMA defines quality of care as forcing plans to contract with "any willing provider." That kind of arrangement takes away a plan's ability to compete on quality, because it's no longer free to decide which doctors will be part of the plan.

Public discussion of evidence-based medicine might lead some to wonder whether unchecked physician autonomy is really such a good thing. Those whose memories stretch back more than two news cycles might even remember that the Health Maintenance Organization Act of 1973 emerged out of widespread public disgust with a fee-for-service system then run by doctors.

Indeed, in 1976, a time when less than 10 percent of the population belonged to an HMO, the *Times* ran a five-part, page-one series about medical errors, overprescribed drugs and other failings of American medicine. The date of those articles should be noted by the nostalgia-mongers who loudly contrast today's system with the days of "Marcus Welby-style medicine." Nineteen seventy-six was the year that Marcus Welby, M.D. finally left the prime-time airwaves. Even in Marcus Welby's time, Marcus Welby-style medicine was not a reality for patients; it was just a TV show.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

While the physician groups have an economic agenda that can cause them to slight evidence-based medicine, some consumer groups have a political one. Liberal organizations like Public Citizen seem to want to discredit managed care in order to pave the way for Canadian-style national health insurance. While that's a worthy goal (and one this magazine has long supported) it's unlikely to succeed in the current climate. More to the point, addressing the legitimate problem of access to care by the millions of Americans without health insurance says nothing about the quality of care received once access is assured. Conservative groups such as the National Center for Policy Analysis are as obsessed as the liberals with access and financing issues. But unlike the liberals, they want to replace managed care with a national system of medical savings accounts, another policy fantasy.

Given these ideological and economic interests, today's medical scandals follow a predictable script. For example, the refusal of some health plans to allow some breast cancer patients to stay in the hospital overnight after a mastectomy created a national uproar. Yet there is persuasive medical evidence that suggests a one-night stay can be perfectly safe—if health plans and hospitals choose the patients carefully and put the proper support services in place. More to the point, if breast-cancer victims are the real concern, then we should consider the lack of attention given a study appearing about the same time as the "drive-through mastectomy" debate erupted.

This study, by Dartmouth Medical School researchers, found that "geography is destiny" when it comes to care for breast cancer (as well as a number of other conditions). For example, fewer than three out of every 200 breast-cancer patients in Rapid City, S.D. received breast-conserving surgery versus a mastectomy, while in Elyria, Ohio, 96 out of 200 did. The two procedures have roughly equal therapeutic efficacy.

Which is worse: being given a too-short hospital stay after a mastectomy or unnecessarily losing a breast to surgery in the first place? To even pose that question exposes the shallowness of viewing high-quality care as synonymous with deference to individual physician judgment.

Since women's health issues are so politically attractive, here's another example of practice variation every woman will understand. When family practitioners in Washington State were asked about treating a simple urinary tract infection, one of the most common of female complaints, eighty-two physicians came up with an extraordinary 137 different strategies! It defies common sense to believe that every patient of each of those doctors is receiving equally high-quality care.

(Speaking of non-scandals: why is hospital "dumping" of poor patients without insurance—which once made front-page news—now relegated to the trade publications? Are the only certifiable "victims" the victims of health plans?)

The good news is that there are, in fact, some successes by health plans, hospitals and doctor groups in implementing science-based medical practice. The efforts of United HealthCare, a national for-profit plan, were even profiled recently in *The Wall Street Journal.* There are others. In Boston, for instance, Harvard Pilgrim Health Care has pioneered a program to involve asthmatic children, their parents, and the plan's doctors in applying "best care." The program cut inpatient admissions and emergency room visits by kids by more than three-quarters. Not only that, the children reported a significant increase in their ability to function at school or home.

The heart-attack patient who doesn't receive beta-blocker therapy won't have a clue that his life was put at risk.

Yet many organizations hesitate to share their successes at making use of medical procedures that are already on the books. A moment's thought makes it obvious why: A hospital or doctor who excels at using scientific advances that have already been in the medical literature risks being greeted by the question: What were you doing before this? The questioner might even be a lawyer.

Despite these barriers, I've seen a number of hospitals that are dedicated to operationalizing better care. In Pittsburgh, for instance, Forbes Regional Hospital used evidence-based clinical guidelines to improve the recovery time of seriously-ill pneumonia patients and dramatically cut the death rate of those who were less ill. In South Carolina, changes in heart-attack care at the Anderson Area Medical Center saved the lives of an estimated two patients a month who previously would have died. In Los Angeles, Cedars-Sinai Medical Center's systematic review of the medical literature on a heart condition in infants called Tetralogy of Fallot found that one treatment meant to prevent respiratory infections in these newborns actually increased the infection rate!

The common thread in all these improvement sto-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ries is this: There are no "bad guys." The doctors involved were neither evil nor incompetent. They are your doctor and mine—which may be the most powerful explanation of all for why the problem of evidence-based medicine has attracted so little attention. Whatever the failings of doctors in general, "to distrust one's [own] doctor is to be vulnerable in the most fundamental and undesirable of ways," as one medical sociologist wrote. "The image of the doctor in America continues in large part to be an idealization that reflects people's hopes rather than their actual experiences."

Yet "good" doctors don't follow best practice for a variety of reasons. There is a failure to keep up with an overwhelming flood of medical literature, a reluctance to get caught up in new therapies that may be fads and uncertainty over which patients are best-suited for which therapy. Certainly, financial incentives can play a part in overuse, underuse and misuse. But ideologues who believe there is a perfect payment system that guarantees high-quality care will be disappointed. The problem of medical mistakes and a failure to practice evidence-based medicine is international. And, of course, there remains the problem of treatments where the evidence is ambiguous or simply unavailable.

A Better Way

When it comes to protecting patients, the same kind of pressures being brought on health plans should also be applied to the actual providers of care. While President Clinton has declared that passing a patient bill of rights will be a top 1999 priority, legislation that focuses only on speedy access to care will ultimately fail to truly protect patients. Providing every patient with the most appropriate and effective care—"doing the right thing and doing the right thing right"—must be just as much a priority as guaranteeing access to that care.

Those physicians who are working hard to bring change to our present system need financial and political encouragement, just as those who are reluctant to change need a mixture of financial and political incentives to rethink their position. Take, for instance, the connection between low volumes of surgery and higher mortality rates. If the patient bill of rights guarantees the right to go to the emergency room without delay, then how about the right to know, before the anesthesia takes effect, how many times the hospital or an individual surgeon has performed heart surgery? Medicare rule-making could go a long way to encourage this type of disclosure.

Similarly, what about a system of disclosing hospital infection rates that parallels the ratings used by health departments for restaurants? Right now, hospital lobbies across America display a certificate of accreditation from the Joint Commission on Accreditation of Healthcare Organizations, a group whose workings few patients understand. On the other hand, the difference between an "A" and a "C" grade on a certificate rating infection control would be an instant conversation-starter for patients and their doctors.

At the same time, legislators must be careful not to undermine internal hospital improvement efforts. Organizing information in a more systematic way, particularly through the use of computers, will both give doctors useful data at their fingertips and allow outside overseers to control better. Software now available can provide doctors with treatment protocols based on the latest science or a database of drug interactions designed to protect patients against possibly deadly adverse reactions. Other software, involved in electronic medical records, can help doctors and hospitals track the outcome of care in different groups of patients and continuously improve it. Unfortunately, the news stories highlighting legitimate worries about privacy of electronic medical records have not given equal play to the improvements in patient care that electronic medical records can bring.

Meanwhile, those researching how to apply evidence more effectively to practice could use far more funding than their present few crumbs. While Congress and the president heap billions more onto NIH's plate, the little-known Agency for Health Care Policy and Research makes do with a budget in the $100 million range. Funding applications work in medicine is like buying bullets and boots for the military; it's not glamorous, but it can mean the difference between success and failure.

Evidence-based medicine may be moving toward a higher profile. The Washington-based National Coalition on Health Care and the Boston-based Institute for Healthcare Improvement has just launched a quality initiative called Accelerating Change Today (ACT) for American Health. The explicit aim is to put best practices into common practice. Similarly, several corporate coalitions including some of the most prominent names in American business have quietly been holding talks about coordinating their efforts in a national effort to upgrade standards of care.

As the cost of medical care starts to accelerate again, it is becoming more urgent than ever to provide only that care which is the most appropriate and most effective. The alternative is grim: buying whatever care is cheapest. It's about time we started measuring the performance of health professionals and of health plans alike—and insisting that both groups be held accountable for results. ○

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Clinton-Lewinsky Obsession

How the press made a scandal of itself

BY TODD GITLIN

TO DERAIL HIS PRESIDENCY, A thrill-seeking president had to come into the sights of a prosecutor with virtually unbridled powers, married to an omnivorous press. How did the news business, also known (when it is giving itself awards) as the profession of journalism, turn into a nonstop strip-search? How to account for the sheer volume of the scandal coverage, and the gloating tone of much of it, the gleeful obsession, the overkill and wallowing that seized hold of journalism in these United States?

Barking Heads

Start with the Sunday morning barking heads, the high church that certifies each week what the political class is and ought to be talking about, issuing self-fulfilling prophecies for inside dopesters. Consider especially ABC's "This Week," where Cokie Roberts declared, on Jan. 25, 1998, with the Lewinsky story four days old, "There's only one real question that's being asked in Washington this week, and that is, can President Clinton survive?" Along the Potomac, among the knowing, it was thunderously clear what was real—and it was not the fate of women without childcare, or children without doctors.

One function of the Sunday shows is to make certain notions thinkable. Between his Sunday punditry and nightly reports, no one bulldogs America's political conversation more than ABC's Sam Donaldson. Donaldson's repute rests not on his reporting, not on his preparation, but on his leather lungs, his selective bullying and his bellow. He jeers the big cheese in charge, whoever it is, because ideology matters less than attitude. On "This Week," the emphatic Donaldson makes George Will look thoughtful, the studious boy who does his homework as opposed to the loudmouth pumped up on attitude. Here was Donaldson on Jan. 25: "If he's not telling the truth, I think his presidency is numbered in days. This isn't going to drag out. We're not going to be here three months from now talking about this."

Of course more than nine months later Donaldson, Roberts, Will & Co. were still talking about "this." But Donaldson, Roberts, Will, Tim Russert and the rest matter not because of their acumen, let alone their accuracy, but because powerful people think that what they say matters—because official Washington and its eavesdroppers watch the Sunday shows in order to know what they had better take into account as they plot their own moves. Like prosecutors talking about "this case" as if they were observers from the far reaches of outer space, journalists like to talk as though "this story" had a life of its own, as if it landed and stayed on front pages and Sunday morning shows by itself. Already, on Jan. 25, Donaldson was declaring, "I'm amazed at the speed with which this story is going." Of course it all depends what the meaning of "this story" is. On Jan. 21, the day the Monica story broke, it was Donaldson—not "this story"—who, at the White House press briefing, asked whether Clinton would cooperate with an impeachment inquiry.

The ardor of the barking heads even makes straight news people squeamish at times. Chris Vlasto, an ABC News producer who, as we shall see, cannot be accused

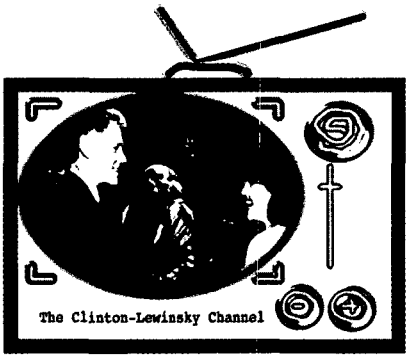
TODD GITLIN *is a professor of culture, journalism and sociology at New York University, and a 1998-99 fellow at the Media Studies Center. He is the author of* THE SIXTIES: YEARS OF HOPE, DAYS OF RAGE *and* THE TWILIGHT OF COMMON DREAMS: WHY AMERICA IS WRACKED BY CULTURE WARS.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of excessive tenderness toward the White House, told me: "The night Jackie [Judd] and I broke the story, Jan. 21, impeachment never crossed our minds. It only came up that Sunday on 'This Week.' I think it's unfair that the talking heads on MSNBC, on our own network and the rest, have stoked the flames."

The Rush Back from Havana

The thrill of a breaking story, any breaking story, is easy to understand, and so is the dynamic that keeps CNN and MSNBC, the 24-hour news channels, along with the tabloids, scraping the bottoms of all accessible barrels for cigar butts. The word of words is competition, and not only for bottom-line purposes. News organizations live for the frenzy of getting "there" first, getting "the story," getting the "get," getting the Big Creep. Recall that on Jan. 21, all three network anchors were in Havana to cover the Pope's visit—all in a position, American news media being what they are, to certify to the American public that Cuba exists and that what happens there might be newsworthy. All three promptly picked themselves up and flew back to Washington to cover (or rather, witness the wreckage from) Hurricane Monica. Dan Rather seems to have been most reluctant to go, later telling Jeff Greenfield on CNN: "If you want to stay in the anchoring business, you have two choices. You can get back to Washington and cover this big breaking story, or you ask for asylum in Cuba ... If one [anchor] had made the decision to stay, one of the three over-the-air national anchor people, I think he'd have gotten killed in the press. He'd have gotten killed by his bosses internally. I just don't think it was practical to say no." In March, receiving a career excellence award at Harvard, Rather picked up this theme again: "If I really deserved this award, I'd have stayed behind in Havana to cover the Pope's visit," instead of returning to "lurid innuendo, sex, and sensationalism and smirking and winking... I wish I'd had the guts but I chickened out." Rather's confession might have made a nice story for some major paper, or *TV Guide* or *People*, but it didn't rate.



As it was, on Jan. 21, CBS delayed 26 precious minutes before going to the president's Jim Lehrer interview denying entanglement with Lewinsky. For lagging behind ABC, NBC, CNN, and Fox, CBS got tweaked in the papers. "After months of chanting hard news, hard news," crowed Eric Mink in the *New York Daily News*, "CBS News blew it with the pressure on." No one rushed to defend CBS for its principled foot-dragging. It was lost on no one that the one network executive who didn't go live to the death and transfiguration of the people's princess in 1997, Lane Venardos, was soon demoted from his position overseeing hard news.

Did CNN, MSNBC, and the Internet force Rather's hand? Cable and on-line news are too easy to blame for pressing the once-respectable organs ever downward. True, a TV monitor stays tuned to CNN in every newsroom, and on MSNBC, where the soap-opera format glided seamlessly from All-OJ to All-Diana to All-Monica, many a media personage has tied his success to the rising Starr. Instant stars have no incentive to see the scandal with any sense of proportion. Chris Matthews' nightly rant, "Hardball", swelled from 30 to 60 minutes last March, and when the Clinton video was released, MSNBC ratings shot up seven times higher than average. The absolute numbers are still small—CNN and MSNBC between them average less than three-quarters of a million viewers in prime time—but the increment is most attractive. Media analysts tune to these channels and are inclined to blame them—along with Internet news—for driving the hunt for scoops, stripping away inhibitions.

"We felt the drumbeat of CNN from the beginning," one top CBS news executive told me. "The picture of Monica in the beret. All the repetition elevated the importance of the story, made us feel that we'd better put more resources into it." But the competition CBS cares about most comes from ABC and NBC, not cable. It's ABC's Jackie Judd who runs CBS a merry race. In print, too, the drive toward scoops can never be underestimated. The *Times*, still smarting from the *Post*'s Watergate coup, jumped the gun with Whitewater, and since then, leaping from gate to gate, neither the *Times* nor the *Post* has looked back.

From Woodward & Bernstein to Isikoff

Newsweek's Michael Isikoff, who dogged the Clinton sex story for months and finally got the scoop of scoops, got his journalistic start working for the Capitol Hill News Service, a Nader-funded operation. Was he, as reported, inspired by Robert Woodward and Carl Bernstein? "In the general way that anybody of my

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

age probably was," he told me. Such is the cunning of history. Woodward and Bernstein rounded out the Sixties by bringing down a government steeped in lies not about sex but about burglary, assault, and war. Whereupon investigative reporters were knighted by an invigorated establishment press. At the *Post*, self-mythologizing took over. In TV news, attitude became the norm: insouciance, snideness, and badgering, easily—but falsely—mistaken for ideological opposition. Something similar happened in print, leading Woodward to speak of the press last year, even before the Lewinsky uproar, as "prisoners of Watergate"—trapped in the assumption that behind a scatter of facts and allegations, as in the murk of Whitewater, lies a grand plot.

Whitewater and all the other "-gates" (Travel-, File- , et al.) have been pounced on as instances of Watergate Lite, a matter of moral passion applied indiscriminately. Sex tales matter vastly more than the bombing of a pharmaceutical plant in Khartoum. Follow the money or the intern. Politics is reduced to criminality. Dirty land deals and stained dresses are easy to insinuate about. To cover them, as Joe Klein put it in an interview with Tim Russert, "You don't have to know anything." But the traverse from Woodward and Bernstein to Isikoff required another element too. "The personal is political" is no simple feminist slogan; it has evolved into a legal norm and a journalistic axiom. In the late 1960s and into the 1970s, the phrase meant that child-care and housework should be equalized, that women had the right to orgasm and not to be beaten. As politicians became more suspect and journalists more suspicious, "the personal is political" evolved into 1987's question of Gary Hart, "Have you ever committed adultery?" After Hart's crash and burn came the live TV spectacle of Anita Hill's testimony against Clarence Thomas, when the Senate Judiciary Committee in its majesty decided that charges of sexual harassment were vastly more relevant to the question of his fitness for a court position than Thomas' claim that he had never discussed *Roe v. Wade*. The spreading inquisition into sexual conduct in the workplace led not only to the right-wing mobilization behind Paula Jones but to the principle that a man's prior sexual conduct was admissible in civil sex-harassment cases when a woman's was not—which led, in turn, to Clinton's decision to give his enemies a mighty sword at his deposition in Paula Jones' lawsuit. In a hard-breathing political culture, the spirit of moral absolutism had attached itself to the cause of women.

For years now, in other words, the firestorm of the culture wars has been burning up the oxygen of political dispute. Clinton was ripe for the picking. "One of the reasons this story exploded in January," *Los Angeles Times* Washington bureau chief Doyle McManus told me, "is that when the story first came up, every investigative reporter had a boxful of related stories" about Clinton's dalliances. Still, one might think the media's relentlessness a bit much for an aggregation of individuals not especially renowned for highfalutin family morals. In recent years, at least three editors of major newspapers have left their wives of twenty-plus years without public disgrace. But of course they did not, so far as is known, lie or fudge under oath. They did not (usually) dally with employees. No special prosecutor prosecuted them. So with a lot of huffing and puffing about public morality, they could ready the pillories in good conscience. And so the vigilantes of Washington bent over backwards for months, professing to be shocked, *shocked* by office sex, deal-making, and corner-cutting.

Why Bite the Hand that Leaks?

Since the maiden issue of *Brill's Content*, there can be no rational doubt that Starr and his deputies were the main unattributed sources who kept Clinton reeling for the better part of a year. Brill made a few trivial mistakes, but he was right on the main point—that Starr's office leaked from the start. Whether Starr violated the law, as seems obvious, will in the end depend upon the meaning of words like "information" and "release." But the press, as leakee, colluded, and the collusion begins long before Lewinsky. The watchdogs dutifully carried Starr's leaks about indicting Hillary Rodham Clinton over Whitewater matters. They lifted no eyebrows when Starr's Little Rock grand jury folded last May without indicting Hillary. While Federal Judge Norma Holloway Johnson was investigating White House charges that Starr's office illegally leaked, that investigation was not especially interesting to the press. When this fall she found prima facie evidence of illegal leaks to ABC, CBS, NBC, CNN, the *Times*, the *Post* and *Newsweek*—against secrecy rules encompassing not only "the direct revelation of grand jury transcripts" but also prosecutors' disclosure of "the identities of witnesses or jurors, the substance of testimony, [or] the strategy or direction of the investigation," the story landed on page A9 of the *Times*, albeit with a tease on page A1. We have come a long way from the time when Jack Newfield could call White House reporters "stenographers with amnesia." The stenographers moved on to the Office of the Independent Counsel.

Starr mastered the press in ways that any big-city prosecutor would envy—or perhaps mastery is not the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

right concept, common interest being the point. Leaking away, the prosecutor set traps for potential witnesses and polluted his Washington grand jury for months, not incidentally grabbing the attention of the House of Representatives that is, in effect, the grandest jury of all. While editors occasionally denied, for public consumption, that they were stalking Watergate II, the magnitude and the intensity of their coverage suggests that they thought they had in their sights another president fairly begging to be brought down. One reason most of the press volunteered as Starr's echo chamber is that he offered a lot of the stuff Washington reporters crave. "The story was about Starr launching an investigation," Isikoff told me. "At some point, you're acting as a censor if you say we're not going to pursue credible allegations," meaning Starr's.

Remember the infamous "talking points," much bruited about at the beginning of the scandal? Here lies one egregious example of the media running unquestioningly with the OIC's leaks. *Newsweek* on Jan. 22 had Starr doubting, given the legalistic prose, that Lewinsky was the sole author of the document. Virtually every major news outlet leaped to speculate that the fine hand of Vernon Jordan or Bruce Lindsay or another lawyer in the White House cabal was detectable. A tattoo of repetition made the speculation seem a no-brainer, an assumption that reached its zenith when Chris Matthews crowed on CNBC that "Monica is not protecting Bruce Lindsey, and not Bob Bennett, and not Vernon Jordan, but the person who gave her the talking points may in fact have been ... the President." No fewer than four versions of the "official" memo surfaced in the fray. While the media hyped this document as a "smoking gun," the final Starr report referred to it all of twice. It never made the list of possible grounds for impeachment, nor was it used as evidence in the charge of obstruction of justice.

Of course, once Starr's report had arrived at the House, on the Internet, and everywhere else, Starr was no longer useful to the media. All his Monica data were presumably now in plain view. Now—only now—did Starr himself become a subject for independent investigation. The *Times'* Oct. 4 front-page investigation of Starr's methods, by Don van Natta Jr. and Jill Abramson, was the bellwether. The wind was changing. Even *Newsweek* got into the new act with a coy cover, Sept. 28, clucking, "How Low Can It Go?" over a simulated supermarket tabloid, "The Starr"—the same *Newsweek* that, back in January, had agreed to hold back Isikoff's first story at the behest of Starr deputy Jackie Bennett, Jr., because Starr was working a sting against Monica Lewinsky with the connivance of Linda Tripp.

For the better part of a year, watchdogs and pundits have nipped at the presidential underwear, exposed it, analyzed it, and in the process stained themselves.

But the Liberal Media!

The anti-Clinton animus of the bluntly right-wing media requires no special explanation. One expects the Rev. Sun Myung Moon's *Washington Times*, Rupert Murdoch's *Weekly Standard*, George Will and William Kristol (on a single show, yet!) to hammer away at the dope-non-inhaling, draft-dodging adulterer—not only because they sniff a whiff of the 1960s they despise, but because they hate the Clintonians for their success in borrowing some of the conservative program. It is not remarkable that Republican flasks carry corrosive acid.

The more interesting question is, How to understand the venom of *The New York Times'* editorial page editor Howell Raines, once closely aligned with the civil rights movement, who on Sept. 22, after months of relentless attacks and Clinton's repeated apologies after he finally 'fessed up, could still write: "President Clinton continues to demand that we, as a people, endorse his lying." This editorial Ahab (as Joan Didion rightly says) of the Clintonian white whale has made the nice judgment that Starr is guilty of "legal klutziness" while declaring that "whatever Mr. Starr's failings, they will never achieve the grand malignancy of Mr. Clinton's folly and miscalculations." Klutziness! Where was Raines' equivalent outrage when grand jury testimony was leaked and leaked again and finally released on-line to a leering world? How to explain the ferocity of pundits like Tim Russert and Chris Matthews?

In 1987, when Ronald Reagan insisted that there was no arms-for-hostages deal, and repeatedly couldn't recall details, pundits and editorialists did not leap to their drums to pound away for impeachment. They did not speculate about resignation from day one when a president they knew to be either rampantly deceitful or incipiently senile told them the sun was shining when they had their own umbrellas out. Reporters regularly overestimated Reagan's popularity. His famous Teflon wasn't born, it was sprayed—

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

by politicians and journalists.

By contrast, some left-of-center reporters despise Clinton because he repeatedly sided with the New Democrats. He took the Democratic Leadership Council's advice on welfare. Even reporters like Joe Klein who approved centrist policies and had been swept off their feet by Clinton in '92 turned against him with the fury of scorned lovers. They saw a lot of character not to like. But more important is what Jefferson Morley of *The Washington Post* calls "a conservative bias of liberal media ... They bend over backwards to prove that they're not liberal." Backwards indeed. Ronald Reagan certainly benefited from this self-spin. The Washington press corps, styling itself rambunctious, was in fact gullible. They frequently disliked Reagan's politics but harbored a sense of him as the nation's benign *paterfamilias.* The establishment press believed it had brought down Johnson and Nixon, dragged down America's image with them, and with America struggling to stand tall after a decade of humiliations, damned if they were going to be responsible for another regicide. As *Post* reporter Lou Cannon said in 1983, "Everybody wants our president to be up on a pedestal a little."

But not Bill Clinton. Slick Willie, Bubba, the slob who eats off other people's plates, or the Good Old Boy cannot be mistaken for any reporter's dad. Rather, he's everybody's brother, a bumbler to boot, and with his Big Macs and Gennifer Flowers it has been hard to imagine him on any pedestal. From the start, he inspired not only affection but suspicion, and little awe. He was Southern, like Jimmy Carter, another scorned interloper—an out-of-towner surrounded by out-of-towners (read hicks) and kids. Southerners like Howell Raines must be embarrassed by Clinton as much as Hollywood loves him. If his back-country ways weren't bad enough, he didn't romance reporters or their employers—at least not as much as they thought their due. He was suspicious of them—were they not overplaying Whitewater? He offended them in little ways and big. They took umbrage.

The consummate hedonist, Clinton also reminded his agemates of what troubled them about themselves. As Joe Klein put it to Tim Russert on CNBC (Sept. 19), "The things that we are most upset with Bill Clinton about are the things that I think we're most upset with ourselves about. And there are three counts in ... this kind of spiritual impeachment. One, he put marketing over substance, which is something that we in the media are very, very, very conscious of ... Count number two, the sexual revolution ... Most of us who have lived through the last 30 years, including a lot of the people who are writing these pompous editorials, have done things that we are not proud of, and by casting out Bill Clinton, maybe we cast out some of our own demons. But the third thing ... is in some ways ... the saddest and ... the most profound, and that is there's a sense in Bill Clinton's generation, our generation, that we skated, that we cut corners, that we got off easy, and man, if there was ever a guy who skated and cut corners and fudged and got off easy, it was Bill Clinton." Purge him.

Catch a Rising Starr

Ken Starr was something else again—the counter-Sixties incarnate. And the *Post* in particular hitched itself to him. Journalists are frequently squires in search of knights. There's nothing especially odd or sinister about their symbiosis with sources: Careers are routinely made by attaching oneself to newsworthy subjects. This can be done negatively—the way Dan Rather was cast as Richard Nixon's nemesis. But it can also be done positively, by placing one's journalistic organ at the service of information providers. Prosecutors are particularly serviceable. And by conspicuous contrast with Bill Clinton, ever since his appointment as independent prosecutor in August 1994, Kenneth Starr has been a master of media. "Starr assiduously courted the media in Washington," says freelance writer Mollie Dickenson. "He developed friends there, particularly Susan Schmidt of *The Washington Post.*" Reportorial coziness with Starr extends far beyond the usual backscratching. According to Howard Kurtz, White House reporters "liked Starr and his prosecutors and tended to give them the benefit of the doubt."

Outside easy public view, Starr even received an unusual testimonial from one journalist whose role in reporting the rolling scandal since Whitewater has been substantial. Whitewater promoter Jim McDougal and ABC News producer Chris Vlasto became friends during Vlasto's Whitewater investigations. In *Arkansas Mischief*, his memoir with the *Boston Globe*'s Curtis Wilkie, McDougal recounted how, in 1996, he was awaiting sentencing after having been indicted on 18 felony counts by Starr's Little Rock grand jury. Depressed, he told Vlasto he was afraid of dying in jail. "'Listen, Jim,' Chris said, 'you don't have to go out this way. If you walk in to see Ken Starr, he'll greet you with open arms.' He recommended that I at least talk with the independent counsel." I asked Vlasto whether McDougal's account was accurate. "In general, absolutely," he told me. "The gist of the story is true."

Vlasto, who is Jackie Judd's producer on the ABC Evening News and also produces for "Nightline," has been relentless in his pursuit of White House scandals. This does not, of course, mean that there is anything

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wrong with his fact-finding. The fact that he has written for *The Wall Street Journal* is not necessarily here or there. Neither is the fact that the organ in which he profiled Jim McDougal is the conservative *Weekly Standard*. Vlasto is entitled to his opinions, and entitled to advise a friend. I asked him whether he had become part of the story by virtue of his conversations with McDougal, in particular his advice. After a very long pause, he said: "I was acting as a journalist. It was a matter of my relation with my sources."

A Starr-Struck Establishment

Leakworthiness is not the only reason the media establishment liked Starr—*Judge* Starr, as he was called. Starr's Washington reputation for probity was prime. In a city that monitors the rise and fall of reputation as attentively as others monitor pork bellies, a reputation for honor is worth a lot. To Starr's non-Republican friends in high places, it surely was not irrelevant that Clinton is both trailer park and Oxford—a class pincer that cuts Georgetown from both sides. The Clintons, like the Carters before them, didn't play proper court. Sally Quinn, partygiver extraordinaire, wrote scornfully of a president who "is not of this town and who will be gone in less than three years, if that ... The establishment rallies to preserve its institutions against interlopers who might corrode or undermine them." On "60 Minutes," she sniffed that the Clintons didn't even own their own home. As recently as Nov. 2, the day before the election, Quinn wrote at length in the *Post* that Establishment Washington—"they," she calls them—have been "outraged by the president's behavior. They feel Washington has been brought into disrepute by the actions of the president"—not by those of Judge Starr. In their eyes, in a contrast Quinn does not make, Reagan did not bring Washington into disrepute when he lied about Iran-contra, nor did Bush when, on Christmas Eve, 1992, he pardoned six high administration officials, four of whom had already been convicted of perjury and withholding information from Congress. Quinn quotes *Post* columnist David Broder: Clinton "came in here and he trashed the place, and it's not his place." Quinn leaves no doubt as to whose place she and her friends believe it to be.

Meanwhile, how did Starr secure his comfort level? In 1991, the sociologist Michael Schudson, interviewing Bob Woodward, was surprised when Woodward told him that, as a watershed in the history of journalism, Watergate was less important than a 1987 Court of Appeals decision in a libel suit involving *The Washington Post*. The suit in question was filed against the paper by Mobil Oil CEO William P. Tavoulareas and his son, and the Court of Appeals, reversing an earlier decision by a three-judge Court of Appeals panel, found for the *Post* in April 1987. Two months later, that decision was upheld by the Supreme Court in what *Post* Executive Editor Ben Bradlee hailed as a great "victory for responsible journalism." The author of the Court of Appeals decision, as the reader will by now have guessed, was Judge Kenneth W. Starr.

The reader had to guess, most likely, because reporting of this fact has been next to nonexistent in publications for non-specialists. In February 1998, Mollie Dickenson noted it in *Salon*, adding that Ben Bradlee had spoken effusively of Starr in public. I found a C-SPAN tape of an American Bar Association meeting on February 7, 1997. There, pre-Monica, commenting on what he called the "swamp" of Whitewater, which he thought quite unlike Watergate in either clarity or gravity, Bradlee added about Judge Starr: "He's a man for whom *The Washington Post* has this tremendous respect because he finally got rid of a $2 million libel suit against the *Post*, and as far as I'm concerned he can do no wrong." To be sure, Bradlee, a Whitewater skeptic, went on to say; "They could get an indictment against anyone they wanted, I think, and they haven't got it. It isn't there." Nonetheless, the matter of Starr's decision in the Tavoulareas case has never been reported in a general-interest national medium. It suggests an atmosphere. Bradlee told me that now, as for Starr, "I don't know if I have any [opinion] or not," and that as for Clinton, "I don't think he should be hung at midnight."

Bradlee's longtime presumption in favor of the judicious Judge Starr was representative. On Nov. 2, after Judge Johnson had found prima-facie evidence of Starr's illegal leaks, Bradlee's wife, Sally Quinn, could still write: "Starr is not seen by many Washington insiders as an out-of-control prudish crusader. Starr is a Washington insider, too. He has lived and worked here for years. He had a reputation as a fair and honest judge. He has many friends in both parties. Their wives are friendly with one another and their children go to the same schools. He is seen as someone who is operating under a legal statute."

There Goes the Eastern Seaboard

Consistently, since January, roughly 60 percent of the polled public has said that Clinton lied, but that Starr was unfair, that the press dwelt too much on the scandal and was wrong to rely on anonymous sources. This remarkable stability in public opinion can't be reduced to partisanship, since more people think the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

press unfair to Clinton than voted for him. In a Media Studies Center poll conducted Sept. 25 to Oct. 1, only 18 percent rated the ethical standards of newspaper reporters "high" or "very high"—tied with lawyers and corporate executives.

Faced with disgruntlement on this scale, media statesmen are thrown back on defensive mantras: The story is taking place "out there." Don't blame the storyteller. Don't shoot the messenger. If the public is fed up, that testifies to the press' professionalism, as a patient's wince tells the doctor that he's poked the right place. There is also the resort to high-minded hauteur: Sooner or later, the people will wise up and follow their opinion leaders—they'd better. Professionals have responsibilities, after all. Does the surgeon ask the patient where to cut? If people hate them, this must be hypocrisy (the great unwashed who say they want to scrub out our mouths are watching and reading our stuff) or tribute (we tell people what they need to know, and the hell with the consequences).

But sooner has turned to later and the public remains steadfastly unimpressed. Americans, who revel in smarm as much as anyone retain a grip on their sense of proportion. Of course there are enough viewers and page-turners to kick circulation up. *Newsweek*'s Jan. 26 issue, Lewinsky I, more than doubled the magazine's average newsstand sales to 350,000. Yet on the whole, the public seems to know the difference between the delectation they feel as consumers of spectacle and the gravitas they know should be brought to bear on matters of state. They know, at least some of the time, the difference between what they delight in knowing (or clucking over) and what they need to know to govern themselves. Barry Goldwater, were he alive, would bask in prophetic glory. In 1961, he proposed to chop off the Eastern Seaboard. Today, no axe would be required, for the Washington-New York media brain stem has cut itself loose from the rest of the country by its own hand. For the better part of a year, watchdogs and pundits have nipped at the presidential underwear, exposed it, analyzed it, and in the process stained themselves. The Washington news establishment's investment in the tawdry story has contributed to the nation's disinvestment in them—disgust, anger, and a limp feeling that the national weal has been abducted by aliens.

Public anger at the press is the good news—the only good news during the months of this miserable spectacle that brought back the pillory and the stocks as instruments of jurisprudence, permitted a Javertian prosecutor to paralyze democratic government, and turned American politics and journalism into an international joke, or worse.

Recessional

The day before the House Judiciary Committee voted to pursue impeachment hearings, I passed near the Vietnam Memorial on the Washington Mall in a taxi. Over the radio, some congressman was blaring on about how the moral fabric of the country is worn thin by lies. Over at the Capitol, scorched-earth moralists were hard at work on their slow-motion coup d'etat. I stared at the wall of some 58,000 names, thought of three million Vietnamese names not engraved anywhere, thought of the presidential evasions, misleadings, and outright lies that produced that catastrophe, thought of the Congresses that voted again and again to finance a war as devastating as it was undeclared. I thought about lies and lies, lies of consequence and lies of adultery, lethal lies and sex-covering lies. I thought of the press as a scandal of its own. For the hundredth time during these miserable months, I thought of attorney Joseph Welch's question to Senator Joseph McCarthy: "Have you no sense of decency?" ○

Carl Bromley and Jennifer Kelley provided research assistance for this article.

Subscription Problems?

Send Questions or Complaints to:

Charles Peters
The Washington Monthly
1611 Connecticut Ave., NW
Washington, D.C. 20009

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Making Criminals Pay

How the courts can cut crime and save money

BY ROBERT WORTH

AT 7 A.M. ON A FROSTY SATURDAY morning in Morristown, N.J., men and women gather in a parking lot across from the train station and stand huddled alongside two vans marked "SHERIFF'S DEPARTMENT." Most are young, a few are middle-aged; all have a hang-dog look. All of them have been convicted of larceny, drunk driving, and other nonviolent offenses, including failure to pay fines imposed as part of a criminal sentence. All have been sentenced to jail, and given the option of serving their jail time on weekends through sheriff-supervised community service, under a program called SLAP, for Sheriff's Labor Assistance Program. At 7:30 sharp, they will get into the vans, where they will don orange jerseys with "SLAP" blazoned across the front. Men from the sheriff's department will drive them to sites all over the county to pick up trash, repaint buildings, clean up parks, and sometimes even do skilled labor such as carpentry and roofing, if they're qualified and if local organized labor groups don't object.

Under ordinary circumstances, these people would in all likelihood be either thrown in jail or let off scot free. In most cases they deserve neither. The two major criminal sanctions short of imprisonment—fines and unsupervised community service—are enforced haphazardly at best. For every dollar the courts impose in criminal fines, they collect (on average) less than a dime, despite the fact that much of this money is slated to reimburse victims. As for community service, "it's a fraud," as one former judge told me. "They can't really enforce it, so they write it off."

During the past two decades, as the U.S. prison population has exploded, the number of people on probation—those who have been convicted of crimes and given sentences other than jail—has grown even faster. There are now over 1.7 million people in jails and prisons in the United States, and roughly three times as many on probation. According to a survey published in 1992 by Patrick Langan of the Bureau of Justice Statistics, about half of all probationers did not comply with the terms of their probation, and only one-fifth of violators ever went to jail for their noncompliance. This means over two million convicted criminals are ignoring their "punishment" and getting away with it. You don't have to be James Q. Wilson to see that this kind of neglect sends a dangerous signal to more serious criminals.

SLAP is one of a new breed of efforts to put the teeth back into probation. Unlike a prison sentence, SLAP allows offenders to keep their jobs and maintain their families. But unlike fines or court-ordered community service, which are routinely ignored with impunity, SLAP has a bite. If you fail to show up on Saturday morning, you go directly to jail with no hearing, because you've already been sentenced. No court dates, no fruitless haggling with judges and probation officers. "We make it real simple for them," says Dan Coburn, the retired Superior Court judge who created the program in 1986. He counts five on his fingers as he speaks: "NO SHOW, IN YOU GO."

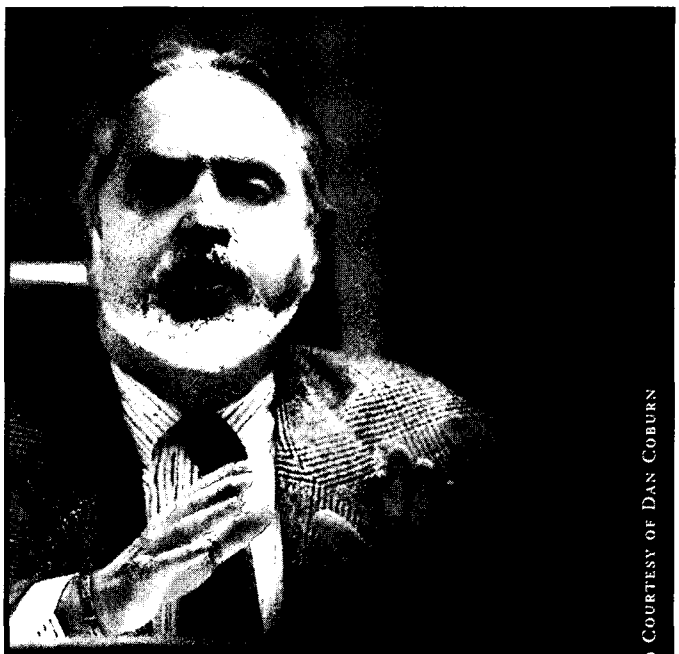
When SLAP was first introduced in Morris County, New Jersey, in 1986, some local blacks got angry, because it evoked ugly associations with chain gangs down south. "Then these black mothers started to realize their sons could go to jail instead," says Coburn. "Next thing you know, they're all asking for their kids to be on SLAP." Most of the people I spoke with at the Morristown projects, known as The Hollow, confirmed his account. "It helps you stay out of jail," said one sore-faced young man named Gerard, who works at a local dairy-pack plant. "And it allows you to pay fines. How you gonna pay fines if you can't work?"

At the same time, there's no question that SLAP makes good use of one of the oldest principles of punishment: public shaming. "A lot of people don't like

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

SLAP because it embarasses them," said Sarah Garnet, a middle-aged black woman who lives in The Hollow. When I repeated that comment to another local woman, she replied, "They've messed it up so let them clean it up. And if they don't want to be seen in those orange jumpsuits, don't do the crime!"

So far, it seems to be working. The recidivism rate of SLAP participants has decreased significantly, and their rate of compliance with court-ordered payments has shot up. It has eased jail overcrowding everywhere it's been used, and saved hundreds of thousands of dollars in incarceration costs. (A day in a New Jersey jail costs the state $75; a day of SLAP costs about one tenth that amount). "It has taken a lot of administrative responsibility off the municipal court," says Bob Gold, a municipal court judge in Mount Olive, N.J. "Individuals who ignore probation, fines, or community service would ordinarily have to come back to me. SLAP takes care of itself and cuts down on bureaucracy. There's a lot of trickle-down in this. The more people in law enforcement understand that, the more it's going to spread."



Daniel Coburn presiding over the Enforcement Court.

PHOTO COURTESY OF DAN COBURN

Scarecrows

Dan Coburn, the creator of SLAP, has spent over a decade trying to transform what the courts call "conditions of probation"—fines and community service—into a truly effective deterrent. A fiercely energetic man with a salt-and-pepper beard and wily blue eyes, Coburn grew up working-class in Newark and worked as a public defender and a municipal prosecutor before becoming a judge. He had seen firsthand the way the system's failures bred contempt and more crime. "These are kids or grownups you could have stopped if they thought there was going to be accountability," he says. He's not a literary man, but Coburn sometimes illustrates his point with a quote from Shakespeare's "Measure for Measure":

We must not make a scarecrow of the law,
Setting it up to fear the birds of prey,
And let it keep one shape,
Till custom make it
Their perch and not their terror.

What concerns Coburn most of all is the effect of the law's failures on young people. "Starting as a juvenile, you can get caught six, seven, eight times, and nothing will happen to you," Coburn says. In most states, he explains, a kid who steals a car will be bounced from juvenile conference committees to probation officers, with no real consequences to pay, no matter how often he neglects his punishments—even, in fact, if he steals another car. "This goes on until the kid's eighteenth birthday, and then he's cleansed of all sin, and he becomes a first offender," Coburn says. "The whole process starts all over again. And the kid has learned a very valuable lesson: America is a wonderful place to live."

If the kid keeps stealing cars into his twenties, he may get more of the same treatment. In one New Jersey county, a prosecutor told me, probation cases that are supposed to be checked every month only get attention every three to four months. The district has only one car. "Basically, it's unsupervised," he said. "And this is a good county." Community service, he adds, is "a joke. Usually, by the time they try to figure out if you've done it or not, it's too late." Even when they do keep up with criminals, courts don't always have the resources to bring them in. "We put out thousands of warrants [for the arrest of non-compliers]," one former New Mexico court administrator told me, "but we never told the public we used to erase them. If you could escape us for a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

year, you got off scot free."

Young car thieves aren't the only ones getting off easy. In a system that puts all its resources into keeping violent felons off the streets, white-collar criminals can also fall through the holes in probation's net. One convicted savings and loan swindler, who with his brother owed $4.8 million in court-ordered restitution, managed to avoid the debt for years, simply by writing "deceased" on a dunning letter to the government. Others game the system without even pretending to be dead. A master stock swindler named Ramon D'Onofrio, convicted of fraud-related crimes five times, managed to avoid prison for 20 years, leaving unpaid about $11.5 million in fines and civil judgments.

How do they get away with it? Part of it is the government's legendary incompetence at tracking and collecting fines. Each of the 94 federal court districts has its own system, and sometimes practices vary within a single district. In 1987, appalled at this chaos and its obvious failures, Congress ordered the Administrative Office of the Courts to set up a National Fine Center to track money owed by criminals. Nine years later, after the Center had wasted $11 million that was supposed to go to crime victims, an independent study concluded that the whole effort was useless and should be dissolved at once. Congress quickly complied, thereby sending some 20,000 debtor accounts back to the 42 district courts that had converted to the Fine Center's system. This meant reinstalling their old logging systems, often on outdated computers or even ledger books. "We're going back to the Dark Ages," one despairing court clerk told the *ABA Journal* at the time. Sen. Byron Dorgan, who co-chaired the Congressional hearings on the Fine Center, concluded: "If you're in the position of owing somebody money, you ought to pray you owe it to the federal government. You won't be found."

Since the demise of the Fine Center, there's no indication that the courts have improved their record on catching up with deadbeats. According to a June 1998 General Accounting Office report, federal probation officers are given scarcely any guidance on how to set up payment schedules. As a result, the report concluded, "Some offenders identified expenses such as a European cruise, servant salaries, entertainment expenses, and recreational boat payments as necessary, thus limiting their ability to pay fines to the government or restitution to victims." Worse, these same probation officers were often much harder on people who couldn't afford to pay. One single mother was convicted of filing a false home-loan application and was ordered to pay $32,000 in restitution. She reported a monthly income of $2,400 and was given a monthly payment of $1,000—no easy burden. Meanwhile, a man convicted in a fraud scheme, who had been ordered to pay a fine of $15,000 and restitution of $153,000, was given a monthly payment of $100, despite the fact that his income was much higher and he admitted to owning a second home worth $850,000.

At the state level, by all accounts, the situation is much worse. What's most amazing of all is that until recently no one believed anything could be done about it. Many judges will still tell you that most of the $8.1 billion owed to federal courts in fines and restitution, and an equal portion of the uncounted billions owed to the states, is "uncollectable", or that it would cost more money to collect it than you'd get back in fines.

Payback Time

Leafing through the records on fine-collection is enough to make anyone lose faith in the government's ability to get the job done. But as it happens, Coburn and a few other maverick judges and court administrators have proved that the skeptics are wrong—that the courts can indeed hold criminals accountable, as long as they're willing to get serious about enforcement. "Once we had SLAP as a backup," says Coburn, "we knew we could start enforcing fines," because judges who had been reluctant to send deadbeats to jail were perfectly willing to give them SLAP. In most cases that wouldn't even be necessary, Coburn recognized, if he could find a better way to remind offenders of their debts short of a full hearing with a judge. With the blessing of the state Supreme Court's chief justice, Coburn and his daughter Rachel set up a program to be run by hearing officers, with the presiding judge making a brief appearance to set the tone. The result was New Jersey's Comprehensive Enforcement Program, or "Enforcement Court," which has brought tens of millions of dollars into state coffers and made fines a sanction with very sharp teeth.

The principle behind the court is excruciatingly simple: Don't make threats you can't enforce. In many states, the courts do just that. "It's a little like the telephone company never sent you a bill, then sent a notice saying if you don't pay, we'll cut your service," says Judy Greene, who did some seminal research on fine-collection for the New York-based Vera Institute of Justice in the 1980s. And then, most of the time, nothing happens. With Enforcement Court, offend-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ers are sent a progression of warning letters reminding them of their debt. If they show up in court, hearing officers will work out an affordable payment schedule with them. If they don't, a warrant will go out for their arrest—and it will be acted on.

At one recent enforcement court hearing, Judge Joseph Falcone of the Passaic Superior Court walked into a room packed with convicted burglars, thieves, drunk drivers, and other assorted felons. The room came to a hush as Falcone walked to the far end of the room and introduced himself. "A little over four years ago," he said, "a survey was conducted through the state of New Jersey which indicated that tens of millons of dollars was owed to the state by people who had been convicted of a crime. Here in Passaic county the figure was $11 million. You folks represent a portion of that oustanding money." Falcone, a small, powerfully-built man with a stony gaze, clasped and unclasped his hands as he spoke. "Some of you are outright ignoring your obligations, some are paying when you feel like it. Some are, in effect, nickeling and diming the system." That, he said, was unacceptable. His court intended to collect every penny of the outstanding money, and to make the arrangements to do so "well before lunch."

"It turns out you don't have to lock many people up if you enforce the conditions of probation," says Princeton University's John DiIulio.

To his listeners, Falcone's proclamation probably sounded like an idle threat. Many of them have been through the system before, and they've heard the word on the street: No one will come after you. That's why Falcone had set up his court like a theater. In the center of the room were people who had never been here before. Sitting along one wall are people who had, and made agreements they did not keep. As the court proceeded, some of these people shook their heads and cast cynical glances at the excuses of the people in the center, as if to say "look out—he means it." Meanwhile, standing alone on the opposite wall was a lanky black man in handcuffs and an orange prison jumpsuit—visible proof that Falcone will carry out his threats. The man might have been offered SLAP in place of an actual jail sentence; but the sight of the cuffs was enough. By lunchtime, every person in the room had signed a court order enforcing their agreement to pay up.

The evidence suggests that they will come through. Falcone's court alone has collected almost $1 million in the past year. Since New Jersey's enforcement court started in 1995, it has collected over $14 million that would have gone missing otherwise, and the compliance rate is rising rapidly as offenders realize they won't be let off the hook. A number of other states have followed suit. In every case, the amount collected dwarfs the cost of retrieving the money, which means there's plenty left over for crime victims and underfunded programs like drug treatment. Colorado is retrieving $8 for every dollar it puts into collections, and a few other states have had similar results.

Why on earth has it taken us so long to do something so obvious? The answer has to do with the uneasy relationship between the judiciary, which imposes criminal sentences, and the police, sheriffs, and prison officials who carry them out. Unlike a prison sentence, a fine brings money back into the system. Once the fines build up, you create the possibility for corruption—or at least, the appearance of corruption—and that can be enough to tarnish the court's all-important reputation for integrity. It's not just an abstract issue. In the early part of this century, the salaries of rural judges and court officers, particularly in the South, were often based on the fines they drew. Naturally, they'd collude with their buddies over at the police department to set up speed traps and bring home a little extra bacon. This kind of activity became so notorious that it led to a Supreme Court case in 1927, *Tumey v. Ohio*, in which the Court declared that such practices deprived the accused of due process, and forbade districts to draw on fines for judges' salaries. Ever since, many judges have been leery about getting too close to fine collection.

Yet the idea that the temple of justice would be sullied if judges helped out with enforcement is ludicrous. The money New Jersey's enforcement court program brings in doesn't line the pockets of judges or anybody else. Instead, it goes to crime victims who would otherwise languish and become embittered at the system's failure to compensate them. The money also patches up some of the gaping holes in our justice system, funding desperately-needed programs like drug treatment and probation supervision.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Jury Matters

Once New Jersey court officials realized they could start enforcing conditions of probation like fine collections and community service, they asked themselves: Why not use it for jury service too? After all, jury no-shows are a problem across the country. "We send out notices in round numbers prior to jury appearances, usually 2,000," says Passaic County Superior Court Judge Joseph Falcone. "Inevitably, 500 never respond to the basic questionaire." Instead of giving up after a few notices, the courts now issue a summons to appear before the court; if that is ignored, a bench warrant will be issued for those who fail to appear, most of whom will be fined. The first time it happened in Passaic County, in January 1998, the *Bergen Record* and local TV stations carried the story. "That was all it took," says Judge Falcone. Immediately, first-time jury no-shows dropped by 70 percent. Many of those people will still find excuses not to serve. But they will not continue to believe they can completely ignore their civic duty without any consequences. As Dan Coburn, the retired judge who created the Enforcement Court puts it: "The system won't work if the only people who do jury duty are those who have nothing better to do."

The real reason most judges don't help out with enforcement, according to Coburn, is not because of any high scruples about the reputation of the court, but because they feel it's beneath them. It's worth adding that some judges would rather head for the golf course on Friday afternoons—knowing, as they do, that they can't be fired—than finish up their backlog of cases. That's not to say that some judges aren't honestly overworked. But that's part of the genius of enforcement court: Falcone and the other New Jersey judges who run it only make a brief appearance at the beginning of the sessions, to let the offenders know they mean business. The offenders then work out a payment agreement with the court's hearing officers.

They have a right to a hearing before a judge if they want one. But Falcone usually gives them a warning about that before he leaves. "I don't believe that I am as user-friendly as the people here," he said during the appearance I saw. "I will place you under oath and explain to you that if you willfully lie to me while you're under oath and I catch you, I will hold you in contempt of the court and give you six months in jail and a $1,000 fine on the spot. Anybody here raised in Newark?" A few hands went up. "So am I. Like many of you, I hung out, picked up a few pointers on the streetcorner, know when people are conning me, I think." Only a handful of people have taken him up on the offer in his almost four years of presiding over enforcement court. Altogether, he estimates that the time he's put into the program amounts to no more than a few days.

One Fine Day

Despite its effectiveness, enforcement court is not universally popular, mainly because fines are a lot easier on the wealthy than they are on the poor. "The drug-dealers can walk in and peel off a few hundreds, then walk out," as one former prosecutor told me. For the big shot CEO who owes a few thousand in fines, it's just as easy. The average petty criminal, on the other hand, gets hit a lot harder. He may be unemployed, or working for minimum wage. If he fails to ante up he may run into trouble with probation officers, and if he's unlucky, he'll get thrown in jail. Judges know this, and they often try to adjust fines to match the offender's ability to pay. But they're limited by the rigidity of the current rules, which standardize fines according to the offense and often include a variety of mandatory assessments for court costs.

Fortunately, there's a remedy for this problem. Means-based fines are the most commonly used criminal sanction in most of Europe, and they're starting to catch on here. Unlike U.S. fines, means-based fines (known in the corrections biz as "day fines" or "structured fines") are carefully sculpted to fit the offense *and* the offender. Here's how they work: first, judges, prosecutors, and public defenders agree on a scale for judging crimes, running from say, 1 to 120. Instead of assigning an offense to a specific number, they establish a range, so that actual crimes can be rated more precisely according to their circumstances. When a defendant is deemed appropriate for a fine, the judge examines his or her financial stats (the courts already get this information in their presentencing investigations, so it doesn't unduly invade anyone's privacy). The judge then levies a fine that inflicts a punishment proportional to the offender's income. This isn't as complex as it sounds. In Germany, for instance, where means-based fines are very common, each day-fine unit is valued at or near the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

offender's daily net take-home pay.

Means-based fines have been pioneered in a few districts in the U.S., and in every case they've raised revenue dramatically and decreased prison overcrowding. Best of all, they seem to serve the purpose of punishment better than any of the alternatives—including prison. One study found "lower recidivism rates for those fined than for those either released without clear penalties or incarcerated," regardless of the seriousness of the offense. In Maricopa County, Arizona, which has the longest-running day fine program in the country, court administrators told me that this was the most powerful lesson they'd learned. In a system that often seems to work like a rusty animal trap—either it won't move at all, or it slams shut at random—fines have restored some confidence that the punishment can be made to fit the crime. "The more they make, the harder they get hit," says Lynda Fowler, Case Load Manager of the Maricopa County Superior Court.

Crimestoppers

Of course, even fairly-administered fines aren't the solution to every nonviolent crime. Some people are too poor to pay anything at all. Some are so rich that writing checks won't teach them a lesson. Some will continue to ignore their fines, because they know that judges like Joe Falcone are rare. That's where SLAP comes in, as a kind of Big Stick to hold over those who won't—or can't—repay their debt to society through their wallets. A day on SLAP amounts to $25 of any outstanding fine. The state doesn't lose in the bargain, because the work done by SLAP crews saves it untold amounts in maintenance costs—not to mention the savings in avoided prison costs.

Coburn likes to joke that SLAP and enforcement court have made Morris County, New Jersey, into the nation's largest jail. But the converse is also true. "It turns out you don't have to lock up many people if you enforce the conditions of probation," says Princeton University's John DiIulio, who has held up SLAP and

The Washington Monthly

Journalism Award

OCTOBER 1998

STEPHEN C. FEHR & MICHAEL D. SHEAR
"Viriginia's Road Builders"
The Washington Post

In a rare example of a major newspaper running a thorough story on a state government agency, Fehr and Shear reveal that the Virginia Department of Transportation (VDOT) can't build roads on time or within budget. With VDOT's engineers overworked and its private contractors unsupervised, localities are beginning to abandon the delay-plagued agency and build roads themselves.

BRETT PULLEY
"Regulators Find Easy Path to Gambling Jobs"
The New York Times

As gambling has spread across the United States, gambling regulators and state officials responsible for writing gambling legislation are leaving their positions for lucrative casino-related jobs. The fast-spinning revolving door is raising questions about the impartiality of officials who are writing laws that will govern the industry for years to come.

SANDRA GONZALES, HOWARD MINTZ, PETE CAREY AND JOHN HUBNER
"The Judge Club"
San Jose Mercury News

Despite their heavy caseloads, many judges in Santa Clara County, CA head for the golf course on Friday afternoons. Judges claim they are using legitimate vacation time, but the Mercury News revealed that the court's honor system for reporting vacation is widely ignored.

THE MONTHLY JOURNALISM AWARD is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to The Washington Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, DC 20009. Or e-mail us at **editors@washingtonmonthly.com**. Nominations for stories run in November are due December 7.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Enforcement Court as national models. DiIulio has a reputation as a get-tough advocate of incarceration, but he claims both programs address "the great unmined field of criminal justice, where we'll get the most advance in cutting costs and recidivism over the next 10 to 15 years: unenforced conditions of probation."

More importantly, SLAP and enforcement court may have helped to restore some public trust in the criminal justice system. In a time when some states are spending more on prison construction than they are on schools, and when some blacks see the nation's prisons as little more than a racist gulag, we desper-

Who's Who

By Susan Threadgill

One of the few failures to cloud **Hillary Clinton**'s election day came when **Peter Fitzgerald** defeated **Carol Moseley-Braun** in Illinois. But Moseley-Braun's campaign manager **Tony Podesta** sees a silver lining for Hillary. "There's no doubt in my mind that she could beat Peter Fitzgerald in 2004." Doubtless **Al Gore** would be happy to learn that's all she's thinking about.

Here's the team with which **John Podesta**, the new chief of staff plans to run the White House: **Maria Echaveste** and **Steve Ricchetti** are deputy chiefs of staff, **Paul Begala** remains as counselor to the president, and **Doug Sosnik** as senior advisor to the president for policy and strategy. **Karen Tramantano** will serve as assistant to the president and counselor to the Chief of Staff. They have so many fancy titles at the White House these days!

We have to confess to having had the most modest regard for **William Ginsburg**, **Monica Lewinsky's** former attorney. But did you hear this joke he delivered at a Washington nightclub recently? "What's the difference between a catfish and **Ken Starr**? One is a bottom-dwelling, scum-sucking scavenger. The other's just a fish."

Ken Starr was paid $1.2 million last year by his law firm Kirkland and Ellis. You will recall one of his partners at that firm is **Richard W. Porter**, who helped form a link between **Linda Tripp** and **Paula Jones**' legal team. Coincidentally, the Independent Counsel's office paid **Ronald Rotunda** $118,400 for "legal research," and "work on a special project" and "various phone consultations." Could Starr's generousity in rewarding such inexact services have had something to do with the fact that Rotunda had filed a Supreme Court brief on behalf of Paula Jones? We can safely bet **Hillary Clinton** thinks so.

Still another link between **Ken Starr** and **Paula Jones**. According to National Public Radio, Starr had as many as six conversations with **Gilbert Davis**, then Jones' attorney, on how to defeat **Bill Clinton**'s claim of immunity from civil suit.

John McCain, who many were talking up as a Republican presidential candidate in 2000, did not add luster to his reputation as one of the town's few white hats when he held up construction funds for local airports out of apparent pique at not getting nonstop flights to Arizona from National Airport, a terminal which most people here think is already overused.

The election results were glad tidings for **Bill Clinton**'s lawyers. But they aren't out of the woods yet. A nagging possibility is that **Ken Starr** will make a deal with **Nathan Landow**. Landow is the big-time Democratic fundraiser who **Kathleen Willey** says "discussed my upcoming testimony [in the **Paula Jones** case] with me." Landow, when called before the grand jury, took the Fifth Amendment and refused to testify. So Starr is pushing hard trying to develop a case that Landow, as *The Washington Times* puts it, "pressured **Michael Copperthite** to lie to federal investigators about a contract aimed at netting Mr. Landow hundreds of millions of dollars from oil and gas reserves beneath Indian lands in Oklahoma." On October 15, Copperthite testified before the grand jury for four hours. Sounds like enough time to spill a lot of beans.

Steven Pape, a member of the uniformed secret service, was

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ately need new ways to tailor the punishment to the crime. After witnessing SLAP crews rake leaves and clean up a recycling plant, I sat for an hour at the Morristown Diner listening to a tough-looking Republican state senator tell me he supported SLAP and enforcement court because he was "sick and tired of seeing people getting nothing more than a slap on the wrist." Half an hour later, a judge joined me at the same booth and told me the same programs were "a way to deal with the over-representation of minorities in the criminal system." Unlikely as it may sound, they could both be right. ○

assigned to the southwest gate of the White House. One Saturday morning, **Monica Lewinsky** appeared at the gate, saying she was going to see **Betty Currie**. Pape bet a colleague that, although the president was not ordinarily in the office early on Saturday mornings, **Bill Clinton** would arrive at the Oval Office within 10 minutes. The actual time, according to Pape's grand jury testimony: "9 minutes and 40 or 50 seconds."

Other interesting expenditures by **Ken Starr**'s Independent Counsel's office, according to *The Los Angeles Times*: $30,517 for "psychological analysis" of evidence in the suicide of **Vince Foster**, "as much as $19,000 each month to house eight members of [Starr's] staff at a luxury apartment building," and $434 for expenses at the Ritz-Carlton in Pentagon City when **Linda Tripp** taped **Monica Lewinsky**.

Speaking of that day, our lawyer friend tells us that **Starr**'s lawyers may have violated **Monica Lewinsky**'s rights when five of them interrogated her for several hours, pressuring her not to call her lawyer as she wanted to, saying that if she did so, **Starr** would withdraw his offer of immunity. If she had called her lawyer (who was then **Frank Carter**) he could have withdrawn Lewinsky's affidavit in the **Jones** case, without which there would have been no evidence of perjury by Lewinsky or **Bill Clinton**.

ROMAN GENN

Just as Congress was adjourning it rushed through confirmation of several White House appointees whose nominations had been stalled for months. They included **Kenneth Prewitt** as Director of the Census and **Jane E. Henney** as commissioner of Food and Drugs. Henney had been blocked by Senator **Don Nickles** who was said to fear she would be too tough on tobacco. Another stalled nominee, **James Hormel**, the gay heir to the Hormel meat packing fortune, did not get confirmed as Ambassador to Luxembourg.

The competition between **Doug Sosnik** and **Paul Begala** for the prized office adjacent to the president's private dining room has been won by Sosnik. What we can't understand is why anyone would want the office. It has a peep-hole through which you just might see something that could get you hauled before a grand jury.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The pulse of the world from the heart of the nation.

Don't miss a thing. Subscribe to *The Washington Post National Weekly Edition.* And be privy to astute analysis of the policies, issues, debates and developments that make the world's pulse race.

You get the *inside* word here. Straight talk from the political pundits. In-depth coverage of the powers that be in Congress, the White House and abroad. Brilliant observations of the day's most significant political events. A roundup of rare, resourceful commentary on the Administration's every move.

This special weekly edition of *The Post* is read widely with the same high regard as our daily paper. It's full of exclusive reports and expert opinion to help you uncover the big-picture implications of today's agenda. It's written by individuals who are uniquely qualified to interpret Washington affairs with remarkable insight. Investigative reports like Bob Woodward. Observers like Jim Hoagland and Robert Samuelson. Plus guest authorities in every field.

Week in and week out, *The Washington Post National Weekly Edition* keeps you abreast of our ever-swirling political scene. You get . . .

■ **Capital Politics.** Penetrating assessments of the government's most controversial matters from the Pulitzer Prize-winning dean of American political analysts, David Broder.

Save 62% off the cover price!

■ **The Political Pulse.** Puts your finger on the significance of shifts and surges in the parties, voters, ethics, elections, campaigns, referendums, committees, lobbies and policies of America.

■ **The Global Pulse.** Amazing stores and investigative reports from the diplomatic front. We identify and examine the ripple effects of events as far away as the Persian Gulf to Peru, the Soviet Union to South Africa.

■ **The Economic Pulse.** Forecasts and appraisals that probe beneath the surface of such weighty economic matters as energy, credit, the stock market, international finance, banking, labor, trade and more.

■ **Commentary.** Lively debate and provocative ideas from George Will, Tom Edsall, Dan Balz and other foremost political thinkers and writers.

■ **Editorials.** Trenchant views edited by Pulitzer Prize-winning *Post* editorial page editor, Meg Greenfield – plus our eye-opening op-ed page and the amusing visual observations of Herblock, the three-time Pulitzer Prize-winning editorial cartoonist.

■ **The Government Pulse.** Stay on top of new directions in law, health care, defense and the environment. For example: AIDS prevention campaigns and federal funding. Global warming's price tag. The potential for postwar terrorism. The perils of mandatory retirement. And more.

■ **Book World.** The most important new books are subjected to candid, stimulating reviews by well-known scholars, opinion leaders and best-selling authors themselves.

■ **What Americans Think.** Enjoy fascinating poll results on timely topics: Presidential approval ratings, civil rights trends, military matters, lifestyle habits and more.

■ **Science Lab.** Study the outcome of revealing reports, special research experiments and bold, new discoveries in such fields as psychology, medicine and conversations.

Indeed, The Washington Post National Weekly Edition *imparts a wealth of knowledge on politics, government, the economy, international affairs, business and industry. Go ahead. Read it for information. And use it to make decisions. Subscribe now and save 62% off the cover price. Complete and return the coupon below – today.*

Save 62%

(Complete, clip and mail coupon today.)

NATIONAL WEEKLY EDITION

The Washington Post

Subscription Savings Form

☑ **YES!** Start my one-year subscription (52 issues) to *The Washington Post National Weekly Edition* for only $39. That's a savings of $9.00 off the basic subscription rate and $62.40 off the newsstand price.

❑ Payment enclosed.
❑ Bill me later.

Name

Address

City State Zip

Satisfaction Guaranteed or your money back on all unmailed issues.

Complete and mail to:
The Washington Post National Weekly Edition
P.O. Box 36167
Boone, IA 50037-2167

Allow 4-6 weeks for first issue to arrive

JWAM984

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE WHITE HOUSE

Washington

10 October

MEMORANDUM TO SECRETARY SHALALA

CC: KEVIN THURM
KITTY HIGGINS

FROM: HAROLD ICKES

RE: ANNOUNCEMENT OF THE ARKANSAS SEX EDUCATION PROGRAM

The President was somewhat mystified as to why there was no mention of him in the 3 October 1995 article in the Arkansas Democratic Gazette entitled "Sex Can Wait plan gets $200,000 grant: Federal Aid to benefit 16 school districts." Apparently the program is called "Sex Can Wait" and will receive some $200,000 this fiscal year for teacher training, implementation, classrooms and evaluation. According to the article, to quote, the money comes from the federal office of Adolescent Pregnancy Programs, which apparently is within the HHS.

Obviously, not every announcement will specifically refer to the President, but all federal departments are being urged to make sure that announcements of grants and other programs refer to the President.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Speaker

What you should know about Bob Livingston

BY ALEXANDRA STARR

WHEN BOB LIVINGSTON ROSE from virtual obscurity to Speaker of the House-elect, he made one point very clear: He was not Newt Gingrich, Part II. Don't expect inspirational speeches and road shows from this speaker, warned Livingston. The focus now was on the "perspiration-filled" process of grinding out bills. Instead of partisan bickering, he would reach out to members across the aisle. And while he inherited a speakership with enormous power, Livingston promised to give chairmen more authority over the legislation passing through their committees. The new speaker, in other words, would be managing the House the way congressional leaders did in the '70s and '80s.

Livingston's collegial approach to governing, however, is unlikely to change the GOP's policies of the last four years. Livingston and Gingrich may differ in style, but on political issues they see eye-to-eye: Both are pro-business, pro-defense, and anti-abortion southern Republicans. And if Gingrich often seemed a man at odds with himself, Livingston has his own contradictions. The Lousiana congressman takes pride in his reputation as a fiscal conservative, but he has funneled hundreds of millions of dollars back to his district and looks after industries that have contributed generously to his campaigns. Livingston is universally hailed as a straight shooter, but his positions on ethics policing have made it a lot easier for his colleagues to escape scrutiny for questionable influence peddling. The future speaker may make sure the trains run on time in the House, but he's not going to push it to become a more open or accountable institution. "It's a new driver, but it's the same car, and the same gas in the tank," says Rep. David Obey (D-Wis.), who is the ranking Democratic member on the Appropriations Committee Livingston chairs. "The legislative result won't be much different."

Bringing Home the Bacon

Look at Robert Linlithgow Livingston's heritage, and his ascension to the speakership seems to have been programmed into his bloodline. No fewer than 20 of his forebears have served in government. His namesake, Robert Livingston, helped draft the Declaration of Independence, administered the oath of office to George Washington, and played a key role in the negotiation of the Louisiana Purchase. Representative Livingston looks so much like the statue of his New York ancestor on display in the U.S. Capitol you'd think he'd posed for it.

For all of his aristocratic ancestry, however, Livingston did not have a privileged upbringing. His father was an alcoholic who left the family when Livingston was six and a half years old. While his mother struggled to raise two children in New Orleans on a secretary's salary, his father left for New York, and then relocated to Spain to avoid paying child support. Livingston worked in the summers at Avondale shipyards from the time he was 14 to help out at home. After a year at Tulane, and a stint in the Navy, he met his father in Europe. "When he was sober, it was great," Livingston recalled. "And when he wasn't sober, it wasn't so great. I saw him a couple of times when he was sick after that. He died when he was 51." What effect did the experience have on his political career? "I was a quick and immediate co-sponsor of Henry Hyde's alimony bill to allow mothers to pursue deadbeat dads across state lines," he says. "Frankly, if we'd had that law on the books when I was growing up, my mother, sister, and I probably wouldn't have lived in the circumstances we did."

After earning his law degree at Tulane, Livingston worked as a federal prosecutor for six years. Then, in 1976, with all of $5,000 in the bank, Livingston ran for Congress. "I lost that race," he says. "And ABC News followed the man who beat me as its Freshman, from the time he was sworn in in January to the day he

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

went to prison in July." Livingston won the special election that followed, and he's had only token opposition for his seat ever since.

Throughout his political career, Livingston has forged good relationships with politicians from across the aisle. In 1987, after an unsuccessful bid for the Governorship, he co-hosted a fundraising party to help one of his opponents retire his campaign debt. "Remember, this is when I was a Democrat, and we had had some tough things to say about each other in the race," says Rep. W.J. "Billy" Tauzin, who later switched over to the Republican party. "But he put all of that aside to do a very generous thing. I think that tells you a lot about him." Livingston also works well with Rep. Obey. "He's one of my closest friends in the House," says the Wisconsin legislator. "I left Livingston a bottle of scotch in the desk [he vacated when the Democrats lost control of the House]." And in an unusual move, Livingston allowed some key Democratic staffers to remain in their jobs when he took over Appropriations in 1994. "I knew that the worst thing to do would be to fire everyone and bring in ideologues," says Livingston. "So I had a heart-to-heart with the staff and I told them, 'If you're a die-hard Democrat committed to a liberal agenda, we don't want you. But if you're a professional committed to making this committee work, I don't care if you're a Democrat or Republican.' And by and large, it's worked out. We have a great professional staff."

WASHINGTON

Despite his willingness to overlook party differences, Livingston is a conservative Republican. This is the man, after all, who wrote the "Three Strikes" law, which automatically puts criminals convicted of three felonies in jail for life without parole, even if the felonies are non-violent; voted to abolish Americorps and the Departments of Energy and Commerce; and advocates doing away with the tax code by the year 2002. A self-defined fiscal conservative, he is not pleased with the pork-laden, 40 lb. omnibus bill passed in November, and he insists he did not participate in its final negotiation. But whether he was involved in the final days of horse trading or not, Livingston managed to look after some key constituencies.

His fingerprints, for example, were all over a provision allowing oil companies to underpay the government for the fuel they drill off federal lands. Currently, the industry determines the price of oil upon which royalties are calculated—and as you might expect, they pay below the market rate. The Mineral Management Service says the industry is bilking Uncle Sam of $5.5 million a month. And it's not only the federal government that is being stiffed: A chunk of the royalties go to environmental conservation funds, Native American reservations, and public school systems. The Interior Department attempted to increase companies' contributions, but Livingston slapped an eight-month freeze on the proposal. It's not too difficult to see why: Louisiana's economy revolves around the oil industry. And energy companies, in the words of a former government official, contribute generously to candidates to make sure their views are heard. In the 1997-98 campaign cycle, Livingston raked in $72,700 from oil and natural gas interests, according to the Center for Responsive Politics.

Livingston has also looked out for his old employer Avondale Shipyards, steering more than $1 billion in federal contracts to the company. As the congressman points out, it's not rare for politicians to promote their districts' military industries—Senate Majority Leader Trent Lott hustles deals on behalf of Ingalls Shipbuilding and former-Senator William Cohen secured contracts for Bath Iron Works in Maine. But Avondale has the distinction of paying its workers about a third less than any other private shipyard in the country, according to the AFL-CIO. Worker safety is another concern: 30

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

workers have died at Avondale since 1972, by far the highest number in the industry. These bleak figures spurred workers to vote to join a union in 1993. Contract negotiations with Avondale's management should have followed, but the company insists the election was tainted with fraud, and has appealed the vote results to the U.S. 5th Circuit Court of Appeals. In the meantime, says the AFL-CIO, Avondale illegally dismissed 28 workers who organized on behalf of the union. "It's a matter for the courts to determine," says Livingston. "I hope the administration doesn't leap into that fray unilaterally, without allowing the courts to decide."

Aside from his ties to Avondale, Livingston has long been a champion of defense interests. He was one of the most vocal supporters of the so-called Star Wars missile defense system during the Reagan years, and in this past legislative session he earmarked $1 billion for a less ambitious ballistic missile defense program. He is the top recipient in the House of contributions from defense contractors: In the 1997-98 campaign cycle, corporations such as Lockheed Martin and Texatron gave him $128,500. And Livingston has been a friend to those companies—while he cut social programs with gusto in his first two years at Appropriations, he resisted even the smallest reduction in defense spending. In 1995, freshman Rep. Mark Neumann (R-Wis.) refused to vote for the defense package Livingston had worked out with Senate leaders on the grounds it was too expensive.

When discussing his record, Livingston accentuates his pro-defense and budget-cutting credentials. But it is in the area of Congressional ethics that Livingston has truly left his mark. There are three groups that oversee and enforce members conduct: the Federal Election Commission (FEC), the House Ethics Committee, and the Justice Department. Livingston has had a hand in sapping the effectiveness of all three.

Gutting the Watchdogs

Waging battle against congressional watchdogs seems an odd fit for a man with a Mr.-Smith-Goes-to-Washington reputation for honesty. But advocates for more rigorous congressional ethics standards count Livingston as one of their most effective adversaries. "Livingston wants to defang these groups to protect congressional members," says Fred Wertheimer, head of Democracy 21, an advocacy group for campaign finance reform. "That's his interest, even if it comes at the expense of protecting the public's interest in integrity in government."

Livingston's primary target has been the Federal Election Committee, the agency that enforces campaign laws. Over the past four years, the FEC has brought an unsuccessful suit against Gopac (the political action committee previously headed by Gingrich), launched an inquiry into the Christian Coalition, and attempted to ban "soft money" raised and spent by political parties. As one would imagine, the agency has few fans in the Republican party. But Livingston's vendetta may be linked to some personal run-ins he's had with the Commission.

During the 1977 special election for his House seat, the FEC conducted a random audit of Livingston's campaign. There was no evidence of any wrongdoing, but Livingston was galled by the experience. And ten years ago, the FEC dropped a complaint Livingston filed against his primary challenger. The Commission agreed the case had merit. While the Livingston's challenger had raised only $2,880 for his congressional bid, his parents won the Publishers Clearinghouse sweepstakes during the campaign, and they helped their son secure a $100,000 bank loan. He illegally slipped the money into his campaign chest. After the election, the challenger skipped town for Scotland, and the FEC decided not to pursue the case. Aside from the fact there was no chance that parents' money was corrupting, "the guy only got about 15 percent of the vote," says an official familiar with the case. "It wasn't worth pursuing. But Livingston has never let the FEC forget it."

Livingston does not mince words describing the FEC. "They are absolutely worthless," he says. "I think the agency should be dissolved and the Justice Department should be in charge of looking into real infractions." Short of that, Livingston believes the Commission should focus its efforts on acquiring and disclosing candidates' campaign records, rather than rigorously investigating alleged wrongdoings.

Livingston has used his position at Appropriations to make sure the FEC adopts his priorities. He pared down the agency's budget and stipulated that funds be spent to modernize its computer system. Updating the Commission's information system did allow the agency to post campaign records more quickly, but a part of the FEC's job is verifying whether the information they are reporting is true. That requires sending investigators into the field. But Livingston's tighter budgets and spending constraints have forced the agency to cut back on its investigative staff. "We need human beings to conduct these probes," says Acting FEC Chairman Scott Thomas. "Without them, we've been forced to throw out cases where there was evidence of wrongdoing." According to the FEC press

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

office, the agency had to drop 39 cases this year because the Commission didn't have enough staff to investigate them before the five-year statute of limitations expired. Last year the agency threw out 79 cases.

Livingston also earmarked $750,000 of the FEC's budget to pay Price Waterhouse Coopers to audit the Commission. It was the second evaluation of the FEC that Livingston has ordered: In 1996 he dispatched investigators from his staff to report on the functioning of the agency. The group found no evidence of mismanagement, but its final report did memorably refer to the FEC as "a self-licking ice-cream cone." Congressman Livingston is not commissioning the audits to help the agency run more effectively, says Wertheimer. "When the Appropriations staff investigation didn't bring back what he wanted, he tried again with this outside audit," he says. "He's trying to cripple the FEC."

There are three groups that oversee and enforce House members' conduct: the Federal Election Commission (FEC), the House Ethics Committee, and the Justice Department. Livingston has had a hand in sapping the effectiveness of all three.

Aside from directing the agency's budget priorities, Livingston wants to control who is working at the Commission. Two years ago, he spearheaded an effort to have three members of the five-person press department removed. Livingston said it was all in the name of streamlining operations. But watchdog groups counter that it was just another part of Livingston's effort to undermine the basic function of the FEC: tracking campaign violations and releasing the information to the press. After Democrats and reporters raised a furor over the proposed cuts, Livingston dropped the request.

He's sure to be more tenacious in his drive to ditch the FEC's general counsel. The counsel recommends to the FEC's six commissioners which cases the agency should take on. The commissioners are evenly split between Democrats and Republicans, and no probes can be launched without four of the six members jumping on board. Under counsel Larry Noble, the agency has instigated a number of high-profile cases against Republican groups and congressional members. And while at least one Republican commissioner authorized the investigations, it is the general counsel's head Republicans are clamoring for.

A GOP-backed proposal to reform the hiring practices at the FEC could well leave Mr. Noble without a job. Currently, four of six commissioners must vote for the appointment of the FEC's general counsel and staff director. The same number can give those employees the boot at any time. This year, Livingston tacked on a provision to an appropriations bill that would have required the FEC's top staff officials to be reconfirmed every four years by at least four commissioners. So under that plan, the FEC's three Republican commissioners could vote Mr. Noble out.

The amendment did not make it into law, but Livingston promises to push for the proposal "again and again"—for the sake of good government. "When you're talking about appointed officials, you need term limits," he says. Larry Noble, he points out, has been at the FEC since the mid-'70s, and the agency would profit from fresh blood. But Wertheimer counters that a more effective FEC is the last thing Livingston has in mind. "Livingston is trying to fire a general counsel who is carrying out law enforcement policies in a way he doesn't like," says Wertheimer. "It's a total abuse of power."

Ethics, Schmethics

While the FEC polices candidates' actions on the campaign trail, the House Ethics Committee monitors and enforces representatives' behavior once they are in office. Livingston has had a big influence on the operation of this watchdog, too. In 1997, after the Ethics Committee fractured along partisan lines over charges levied against former Speaker Gingrich, the House leadership appointed a bipartisan task force to overhaul the Committee's rules. Livingston served as co-chair, and the group's recommendations ultimately made it much more difficult for citizens to file complaints against members.

Originally, outside groups could register charges against congressmen if they found a representative who would sponsor their complaint, or could obtain letters from three members officially *refusing* to do so. It was no easy task to find representatives who were willing to put their names on a letter of refusal. Gary Ruskin, director of the Congressional Accountability Project, a Ralph Nader watchdog group, struggled for seven months before he obtained the three letters he needed to file a complaint against Transportation

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Chairman Bud Shuster (R-Pa.). Shuster's relationship with lobbyist Ann Eppard appeared to break every ethics rule imaginable. Eppard had worked for Shuster for over 20 years before she set up her own lobbying firm, and continued to raise money for the Congressman after she entered the private sector. While federal law prohibited her from lobbying the Congressman for a one year "cooling off" period, Eppard was a daily presence in Shuster's office. In addition, Shuster actually lived in Eppard's house while Congress was in session.

Ruskin says he was never optimistic the commission would take a tougher stance on congressional policing. But he knew the writing was on the wall when Livingston's task force hired Ann Eppard's attorney as its outside counsel. "The fix was in," he says. It could well be coincidental, but the reworking of the ethics rules ended up benefiting Shuster (and by extension, Eppard). Gone was the option of obtaining the three letters of refusal to file an ethics complaint. Now groups will have to find a representative who will actually *sponsor* their charges in order to launch a probe. That has proven to be essentially impossible. When Ruskin attempted to amend his complaint against Shuster earlier this year, he was unable to persuade any member of Congress to write the letter of transmittal. That doesn't bother Livingston. "We had to get rid of the three blind monkey rule," he says. "It was a bipartisan task force, and we put together a good package."

The ultimate arbitrator of members' conduct is the Justice Department. And while Livingston says he wants the Department to take over the work of the FEC, he helped pass legislation this year that will make it tougher for Justice attorneys to conduct investigations. Specifically, the new regulations will force federal prosecutors to adhere to state laws when they are conducting probes. There is a 180-day waiting period before the new regulation goes into effect. But if it is implemented, it could have some disastrous consequences.

Take Louisiana, the state Livingston represents. Under local laws, only state police are allowed to apply for wiretaps. So if federal prosecutors were conducting an investigation in New Orleans, they would have to seek approval from the police for a wiretap order. And in the event that the Big Easy's law enforcement agents were the targets of investigation (not an implausible scenario, given their reputation for corruption) it would be a lot harder for the government to put together a case.

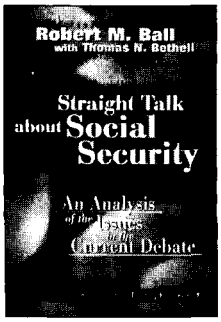
Livingston seems to have championed the legislation because he is personally close with the bill's sponsor, Rep. Joseph McDade (R-Pa.). McDade, who retired this year, was accused of accepting $100,000 in illegal gifts from defense contractors. And while the former representative appears to have employed questionable judgment, a jury acquitted him of bribery charges after deliberating for less than an hour. Livingston testified as a character witness in McDade's trial, and he is obviously infuriated at the way his friend was treated. "McDade was railroaded," he says. "He was stuck with an overaggressive prosecutor and an insensitive judge. It cost him eight years of his life, and I have great sympathy for what he went through." But what about the flaws in McDade's legislation? "The attorney general had an input into the process. She wasn't happy with the whole bill, but she did have an input," responds Livingston. "And I can't say the law won't be changed."

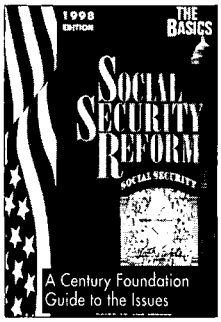
Livingston's cavalier attitude to the impact of the legislation is unsettling, but it shouldn't be surprising. The future Speaker of the House isn't interested in helping congressional watchdogs do their work. He's an old-style pol who wants to protect members from having to answer questions about how they run their campaigns or wheel and deal with lobbyists. At a time when special interest groups are dominating the Congress more than ever before, that's not good news. The present system hardly serves the interest of the public. But with Livingston at the helm, you can be sure things are going to stay just the way they are. ○

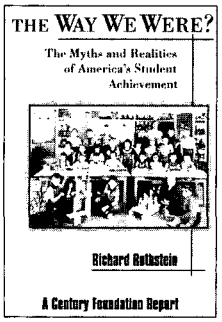
A Not-So-Veiled Threat

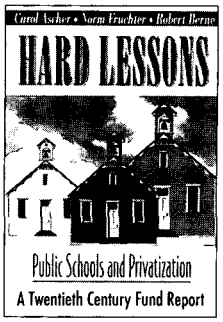
As chairman of the Appropriations Committee, Bob Livingston has used his leverage on behalf of some powerful players in his home state. The New Orleans-based Freeport-McMoRan Copper & Gold operates the world's largest gold mine, located in Irian Jaya, Indonesia. The company's shoddy environmental record prompted the U.S.-funded Overseas Private Investment Corporation (OPIC) to withdraw Freeport's political risk insurance in 1995. Freeport mounted a strong lobbying campaign to have the coverage reinstated. And on Jan. 11, 1996, Livingston wrote a letter to OPIC's president, Ruth Hardin, alleging that the organization's decision to terminate the contract "appeared" to have been influenced by environmental groups. "At a time when the Appropriations Committee is seriously considering the privatization of OPIC, which would have the effect of preventing the type of political intervention alleged ... I am most interested in your response to the concerns raised [by Freeport]," Livingston wrote. OPIC reinstated Freeport's insurance in April 1996. —AS

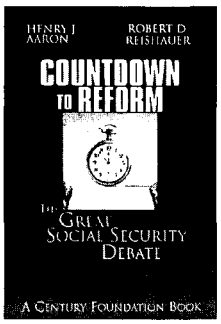
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED











PUBLIC POLICY:
INSIGHT AND ANALYSIS FOR THE NEW MILLENNIUM

THE TWENTIETH CENTURY FUND HAS CHANGED ITS NAME TO

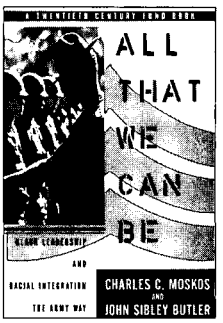
THE CENTURY FOUNDATION

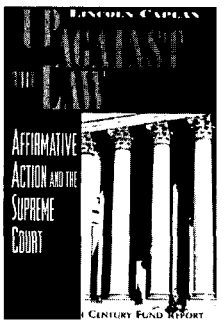
What hasn't changed is our commitment to providing information and perspective to the national discussions about important public policy issues. Through our books, reports, issue briefs, and task forces, we've examined the issues, analyzed the debates, and made policy recommendations. For much of the twentieth century, we've been helping policymakers, journalists, and concerned citizens understand the problems and see the possibilities on matters of public policy. And we'll be keeping on top of the issues in the century to come.

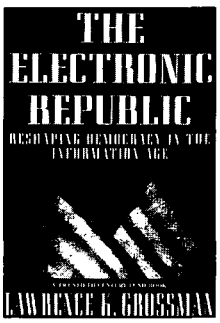
THE CENTURY FOUNDATION

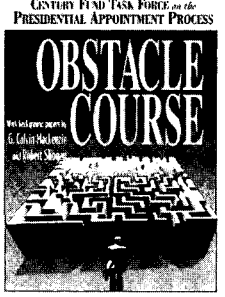
A NEW NAME FOR A NEW MILLENNIUM

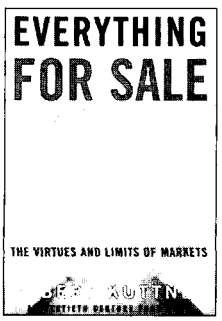
41 EAST 70TH STREET, NY, NY 10021 ◆ www.tcf.org

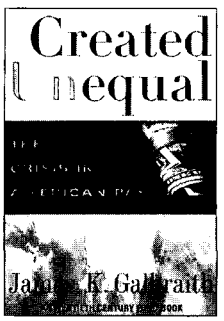


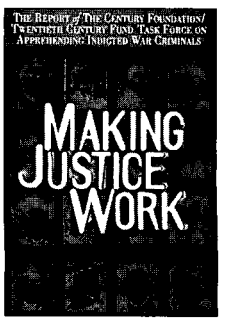












LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Beyond Satire

Tom Wolfe shows he can write with depth and sympathy

By Matthew Cooper

I FOUND IT HARD NOT TO LOVE ATLANTA WHEN I lived there from 1990 to 1993 as a reporter. This was not an exotic foreign assignment along the lines of Hong Kong or Johannesburg, but I always treated it as such—much to the amusement of many of my friends, most of whom only ventured from the city's mammoth airport to its Sunbelt downtown. Indeed, a lot of visitors only see the icy sterility of the downtown area, which more or less empties after 5 p.m. Still, there was much to absorb outside the central business district, with its huge buildings by John Portman, the architect-developer who made the big hotel atrium a staple of the American landscape. For me, Atlanta held pleasures that were aesthetic and intriguing. There were the neighborhoods: Lush enclaves like Lullwater where "Driving Miss Daisy" was filmed; quasi-hippie enclaves like Little Five Points and the Mecca of black success, Atlanta University, which includes Morehouse college. I liked the eccentricities of the place. You could go to a dinner party and meet two women named Ginger. You could be in the mountains where "Deliverance" was set in two hours.

A MAN IN FULL
By Tom Wolfe
Farrar, Straus, & Giroux, $28.95

But the most intriguing thing, I thought, was the Atlanta ethos about race. Atlanta has no fewer racial woes than other cities. Demographers will tell you that the housing patterns in Atlanta are more like Chicago's than Charleston's—decidedly segregated in the tradition of northern cities rather than southern cities that, even under Jim Crow, have had far less spatial separation. (In fact, the more strict the Jim Crow laws, the less whites in the segregated South seemed to worry about blacks living near them.) Atlanta even had its own mini-riot after the Rodney King verdict in 1992. I was near the melee at the time, which left one man in a coma.

But for the most part Martin Luther King, Jr.'s hometown has had a smoother racial history than other cities. It was not torn by riots in the '60s as Detroit and Newark were. In 1964 the city's mayor, Ivan Allen, was the sole southern mayor to support the Civil Rights act. President Kennedy praised the city's peaceful desegregation of its schools. "The City Too Busy to Hate" is a hyped-up chamber of commerce moniker but it contains an element of truth. Back in the '60s, elites led by Robert Woodruff, the head of Coca-Cola, helped the white establishment get behind—or at least not fight—civil rights. (Woodruff, who presided over an increasingly international company, had bottom-line concerns: He'd have South American bottlers come to town who'd be forced to stay in segregated hotels.) Black leaders like King and Julian Bond pushed and the white elite began to bend. The relative racial peace led to the city's explosive growth. At the end of World War II Atlanta and Birmingham were the same size. But Wallace's Alabama was no place to invest, while the Atlanta of Woodruff and King became home to the likes of UPS and Delta Air Lines.

A few history books have captured Atlanta's complexity, but no novel has even tried. *A Man in Full* represents Tom Wolfe's attempt to capture Atlanta as well as the entire spectrum of American society. While some critics, like Michiko Kakutani in *The New York Times* and Jacob Weisberg in *Slate*, have offered only minimal praise for the book, others have hailed it as

MATTHEW COOPER *is a deputy Washington bureau chief for* Newsweek *and a contributing editor for* The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

a work of genius. Michael Lewis in the *Times'* Sunday book section declared it brilliant, as did Andrew Ferguson in *The Wall Street Journal* and John Updike in *The New Yorker*. I tend to throw myself in the latter camp. This is an extraordinary novel: for its comedy, for its scope, for the way it evokes the Clinton '90s, a time and place of prosperity but relative unease. *Bonfire of the Vanities* was a warmup act. *A Man in Full* represents Wolfe at his best.

Anyone who read *Bonfire*—or the few who suffered through the film version starring the usually terrific Tom Hanks and directed by the usually reliable Brian DePalma—will see similarities with *A Man in Full*. Like Wolfe's first novel, this latest tome is doorstop heavy and revolves around a character on the verge of falling from the privileged elite into bankruptcy. In *Bonfire*, the subject of Wolfe's scrutiny was Sherman McCoy, an investment banker who epitomized New York in the go-go '80s. This time it is Charlie Croker, an Atlanta developer in the '90s. (References to the O.J. trial and to Atlanta's current mayor Bill Campbell make it clear that the book is set in the present even though Wolfe has been at this work for 10 years.) Croker, a giant of a man and former star of the Georgia Tech gridiron, is deep in debt. His Croker Concourse, a parody of an Edge City's office-shopping complex, lies empty. And the folks at PlannersBanc want their money back. Croker's world is closing in on him. His second—and, of course, younger—wife offers no comfort. His beloved quail-hunting plantation, Turpemtine, may be put on the auction block. The creditors want his Gulfstream, his Ferrari, his N.C. Wyeth. In *Bonfire* such men were Masters of the Universe. This time, there's no such memorable label, but Wolfe has created a far more memorable character than Sherman McCoy. McCoy was milquetoast, hiding his affairs, cowering in his run-ins with ghetto youths. Croker has emotional and physical courage—something even the casual reader of Wolfe's books will know that Wolfe admires with an almost homoerotic energy. When Charlie captures a snake on his plantation, it's Wolfe's highest form of flattery. He is a sympathetic figure; his rise was built on more than stock shuffling. He had built things of value and substance and his fall is all the more painful.

Drawing by Vint Lawrence

Other characters make up the planets in Croker's orbit. There's Fareek (The Cannon) Fanon, a Georgia Tech football player accused of raping the daughter of one of Atlanta's most prominent and socially-connected businessmen. There is Raymond Peepgas, a

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

hilariously drawn character from PlannersBanc. If you ever thought a novel that dealt with banking would be inherently boring, Wolfe will correct you of that misimpression. Among the most memorable moments in the book has Croker getting a "workout" from the bank. Normally, big borrowers are wined and dined by banks—treated to fabulous meals in mahogany conference rooms. The divisions of the bank that distribute loans are sometimes called "sales" or "marketing." But when a big debtor gets into trouble, the royal treatment stops. They are subjected to the workout. Instead of the mahogany room, they get put in some windowless cell with a dying ficus plant and a no smoking sign while the workout team—often ex-Marines—break down the debtor, abuse him and try to force him to dedicate his life to repaying the loan. There's a whole vernacular that Wolfe, as usual, gets right. "Saddlebags" are the pockets of underarm sweat—like a horse's sidebags—that debtors get during a workout.

Other characters enter Croker's world, the most poignant being Conrad. One of the frequent criticisms of Wolfe is that he never had a downtrodden character who merited much sympathy. His characters in *Bonfire* have often been described as cartoonish. No one will say that about Conrad, a working class guy with two kids, a beatup Hyundai, and a $14-an-hour job hauling 80 lb. crates around a frozen food warehouse. Wolfe's depiction of working-class life is pointed and painful though not terribly complex. Conrad is all nobility, like a working class hero in Dickens. He is sympathetic and morally righteous—more Tiny Tim than the Artful Dodger. Through a combination of disasters, Conrad loses his job at Croker foods and winds up in prison. There have been plenty of harsh depictions of prison life, all replete with toughs and homosexual rape. Wolfe's depiction seems somehow more frightening. Yes, he's got the rape component but in some ways the more horrifying aspects are the mundane, dehumanizing elements of modern prison life—the long stretches in solitary, the powdered eggs for breakfast, the idiotic smoking bans.

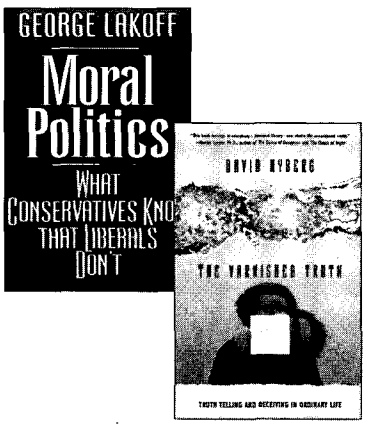
The blacks in *A Man in Full* have far more depth than in *Bonfire*. There is Roger White, II—a black lawyer who is teased as Roger Too White and who echoes the rage of successful blacks. And the mayor, a Morehouse man named Wesley Dobbs, has all the cunning and racial agility of the pols I covered in Atlanta. Wolfe's raw racial language will make some readers uncomfortable. There's lots of black dialect—but lots of white southern dialect, too. There are parodies of rap artists—RAM YO BOOTY, blast thunderous car stereos. And the depiction of a black athlete—big jewelry, surly attitude—will fuel the worst racial stereotypes. That said, Wolfe's fearless use of language and his willingness to get at raw racial feelings make this a compelling racial read in a way that loftier books on race rarely are.

There are lots of plot twists in the book and, in an odd twist, a lot more on the Greek stoics than you might care to know. But at the heart of the book is a dilemma that is perfectly suited to Atlanta. Can the city fathers cut a deal that will spare The Big Peach racial turmoil when the public discovers that a black football star has allegedly raped a prominent socialite? Charlie Croker is called in to help and faces a personal dilemma that embodies all the moral ambiguity that comes with dealmaking. Ultimately, the book is about moral compromise and how each person deals with it on his or her own terms. This is why the Atlanta setting makes so much sense: It is a business city built on deals, but more than any other American city it is based on a deal between black and white elites.

It's fair to wonder what happened to Wolfe's conservatism. Working class angst, racial turmoil—all this seems like fodder for a liberal novelist, not the white-suited Virginian we've come to know. But Wolfe remains a conservative at heart, more P.J. O'Rourke than Mark Twain. His disdain for the left yields perhaps the book's most obvious fault: Conrad's poverty is owing to the fault of his parents—two wayward Haight-Ashbury hippies who deprived him of a good education and a stable childhood and who hit up their son for money. The depiction of The Left is like something out of *Human Events*—about as nuanced as a Reed Irvine diatribe. But this is one of the few false notes in the book. For the most part, Wolfe has dropped his neocon irritability. He's no social activist in the vein of an Upton Sinclair or a Clifford Odets, but he doesn't aspire to be and shouldn't be judged according to that standard. (Only totalitarians believe that all art should have a political purpose.) Wolfe has long argued that the contemporary novel should be informed by reporting; it shouldn't be the isolated product of the academy, of writer's programs. He never argued that the novel or his novel should be a tool for social activism and this one is not. This is a reporter's book—a rich and funny look at American life in all its humor and tragedy. And it's got a bonus: On the way to writing about a country, Wolfe also managed to get Atlanta just right.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

LYIN' & CHEATIN'



Moral Politics
What Conservatives Know That Liberals Don't

George Lakoff

The conservative moral offensive has left liberals in the dust, unable to articulate their political views effectively in moral terms. *Moral Politics* tells what they can do about it. It is an indispensible guide to the opposing liberal and conservative moral visions, showing how morality unifies issues as diverse as abortion, taxation, health, crime, regulation, the environment, and education.

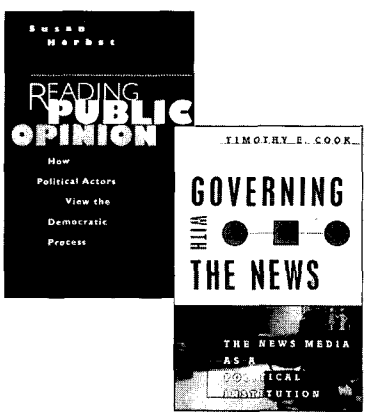
Paper $14.95

The Varnished Truth
Truth Telling and Deceiving in Ordinary Life

David Nyberg

"Nyberg offers a model of what good philosophy should be: smart, funny, and persuasive, an antidote to simple-minded thinking. . . The result is that truth telling has been 'morally overrated' and deception 'underrated.' Like a charming attorney with a dubious client, Nyberg wisely gives his defendant a makeover."—Carlin Romano, *Philadelphia Inquirer*

Paper $12.95



Reading Public Opinion
How Political Actors View the Democratic Process

Susan Herbst

"Susan Herbst has produced a fascinating study of the conflicting meanings and place that political actors and journalists assign citizens, and she demonstrates that the lively debate over democratic governance within the academy today is more than matched within the political establishment."—Lawrence R. Jacobs, University of Minnesota

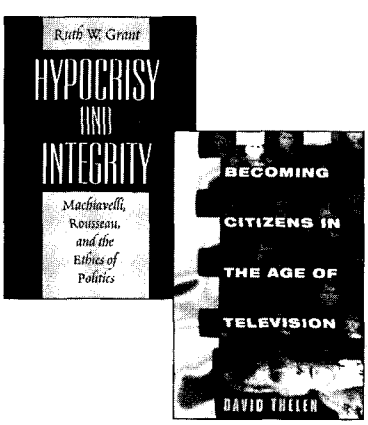
Paper $16.00

Governing with the News
The News Media as a Political Institution

Timothy E. Cook

"A dead-on analysis . . . *Governing with the News* is a model of engaged scholarship. If fully reckoned with, it could light a path toward a public policy for an improved press. Whether the polity or the profession is up to it is another question. But the task just got easier."—Jay Rosen, *The Nation*

Paper $18.00



Hypocrisy and Integrity
Machiavelli, Rousseau, and the Ethics of Politics

Ruth W. Grant

Winner of the 1998 Book Award of the North American Society for Social Philosophy

"A lucid, elegantly written defense of the possibility that hypocrisy is not only the tribute that vice pays to virtue but may itself be virtuous by contrast to other alternatives, including hewing to hard and fast principles in such a way that political disaster results."—Jean Bethke Elshtain, author of *Democracy on Trial*

Cloth $22.50

Becoming Citizens in the Age of Television
How Americans Challenged the Media and Seized Political Initiative during the Iran-Contra Debate

David Thelen

"In *Becoming Citizens in the Age of Television* David Thelen reminds us of how far we have strayed from the ideal of government for and by the people."—Joel Bleifuss, *In These Times*

Paper $14.95

Available at bookstores.

THE UNIVERSITY OF CHICAGO PRESS

Visit us at www.press.uchicago.edu

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Death of a Peacemaker

Yitzhak Rabin's murder revealed a lethal rift in Israeli society

By Joshua A. Brook

In October 1995, on the eve of Yom Kippur, the Jewish day of atonement, a group of Israelis led by Avigdor Eskin gathered outside the home of Prime Minister Yitzhak Rabin. Wrapped in prayer shawls, they intoned the ancient Aramaic chant *Pulsa da-Nura* ("Lashes of Fire"), a Kabbalistic curse: "I deliver to you, the angels of wrath and ire, Yitzhak, the son of Rosa Rabin, that you may smother him and the specter of him, and cast him into bed, and dry up his wealth, and plague his thoughts, and scatter his mind that he may be steadily diminished until he reaches his death. Put to death the cursed Yitzhak. May [he] be damned, damned, damned!" After Rabin's assassination one month later—as Israel and the world mourned a great statesman—Eskin boasted of his prowess on Israeli television. The curse worked.

MURDER IN THE NAME OF GOD: The Plot to Kill Yitzhak Rabin
By Michael Karpin and Ina Friedman
Metropolitan Books, $24.95

The "lethal potential of words" is the foremost theme of *Murder in the Name of God*, an account of the Rabin assassination, its aftermath, and the campaign of incitement that precipitated it. Israeli journalists Michael Karpin and Ina Friedman paint a chilling portrait of the killer, Yigal Amir, and the ideology of radical religious nationalism that motivated him. They elucidate the twisted logic of rabbis in Israel and the United States who distorted ancient Jewish legal concepts to give religious sanction to political murder; and they recount how the mainstream opponents of the Oslo accords collaborated with violent extremists in a campaign to wreck the peace process by vilifying Rabin.

While the signing of the Wye Memorandum by Rabin's nemesis Benjamin Netanyahu, on the third anniversary of the assassination, is an ironic vindication of Rabin's policy of territorial compromise, the bitter right-wing protests that greeted the agreement were sad reminders that violent rhetoric still poisons Israeli political debate. (One public opinion poll indicated that 60 percent of Israelis consider another assassination to be a distinct possibility.) And the divisions seen at the memorial ceremonies for Rabin reveal Israelis' inability to establish a shared collective memory. Some commentators noted the paucity of Orthodox Israelis at memorial events; while another right-wing commentator deplored the left for expropriating Rabin's memory, "as if only they were capable of mourning his tragic death." Karpin and Friedman are unabashed partisans in Israel's ongoing Kulturkampf and sometimes indulge in the irresponsible rhetoric of the far left—referring, for instance, to the Six-Day War as a "blitzkrieg" (technically correct in the sense of "lightning war" but evoking a morally odious parallel). Also problematic is the authors' technique of reconstructing conversations to which they could not possibly have been privy, without adequate footnotes or other documentation. While faithful to the facts, Karpin and Friedman sometimes omit information unhelpful to their case. For example, their portrayal of Orthodoxy as almost monolithically opposed to the peace process belies a more complicated reality. Despite these flaws, *Murder in the Name of God* will ensure that the history of one of Israel's greatest tragedies will not fall victim to willful nationalist revisionism.

While the authors debunk the many conspiracy theories surrounding the Rabin assassination, they conclude that Yigal Amir did not act alone. Rabin's murder by a religious nationalist extremist was the natural result of a long-standing sickness in the Israeli body politic. The penultimate chapter, titled simply, "Failure," decries the decision by the Shamgar Commission, which conducted Israel's official inquiry into the assassination, not to examine the campaign of anti-Rabin incitement. "Failure" could just as easily be the title of the entire book: a catalogue of failure

Joshua A. Brook *is a research associate at* Foreign Affairs *magazine.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the part of virtually every segment of Israeli society to check the rising legitimacy and violent tendencies of religio-nationalist extremism.

With their party demoralized and indebted after losing the 1992 election, Likud leaders were incapable of mobilizing opposition to Oslo. To mount an effective campaign, the Likud affiliated itself with an ad-hoc umbrella group coordinating the activities of right-wing politicians, radical activists, and settler leaders. The coalition linked establishment figures such as Knesset members and prominent settlers with a motley crew of cranks and racists. Israel's political leaders—never known for their reasoned tones—failed to halt the escalation of vitriolic rhetoric and physical violence by the most radical foes of Rabin's Oslo policy.

Early in the anti-Oslo campaign, organizers abandoned the strategy of exposing the perceived flaws of the agreement itself, in favor of a personal attack on the Prime Minister. They sought to break him psychologically and drive him from office, just as, in their view, the left had done to Menachem Begin during the Lebanon war. One participant recalls a planning session at which a "select group of psychologists, public opinion analysts, an advertising executive, and a public relations expert [participated] in a closed, professional, detailed discussion [entitled] 'How to Break Yitzhak Rabin.' " Anti-Oslo rallies soon featured large photomontages of Rabin wearing Yasser Arafat's headdress or Adolf Eichmann's Gestapo uniform.

These incendiary tactics were not confined to Israel. Opponents of the peace process in the United States participated in rallies at which shouts of "Rabin should be killed" were heard and reported on in the press. Israeli Consul General Colette Avital received death threats and was warned not to visit ultra-Orthodox neighborhoods in New York City lest her safety be imperiled. Brooklyn Rabbi Abraham Hecht pronounced of Rabin that "one who intentionally hands over [the] bodies [or] property ... of the Jewish people to an alien people is guilty of the sin for which the penalty is death ... If a man kills him, he has done a good deed."

To be sure, not all on the right endorsed such tactics. In Israel, Likud stalwarts such as Benny Begin, Dan Meridor and David Levy deplored them. Begin and Meridor walked out of demonstrations when they spotted signs reading "Rabin is a traitor" and "Rabin is a murderer." Levy placed the blame for such excesses squarely on the Likud chairman. In 1994, he told a journalist that "Netanyahu feels comfortable with extremists. He whips them up and incites them. Netanyahu and his people are the ones who turned [a protest rally] into a dangerous fascist extravaganza." Nevertheless, all three men subsumed outrage to ambition and joined Netanyahu's government after the 1996 election.

For its part, the left failed to respond adequately to what Karpin and Friedman call "the largest and most effective popular coalition ever to operate in the Jewish state." Labor's leaders failed to mobilize their cadres to counter the opposition until late in 1995. By then it was too late. At the left's first pro-peace rally, Rabin was assassinated by a young law student who believed his act was justified by *halacha*, Jewish religious law.

Many (though by no means all) Orthodox Israelis believed that the Oslo policy of territorial compromise contradicted the religious imperative to maintain Jewish control over the land that God promised to the descendants of Abraham, Isaac, and Jacob. Some reasoned that government policy should be resisted through civil disobedience. A more sinister interpretation held that Jewish law (the Sixth Commandment notwithstanding) permitted the assassination of leaders who relinquished territory. According to another view, Rabin was a *rodef* (pursuer), one who should be killed to prevent him from murdering others.

By 1995, the question of whether Rabin and Peres merited death had acquired widespread currency. One ultra-Orthodox newspaper published a symposium on whether Rabin deserved to die and the appropriate means of executing him. Later, the newspaper answered its own question with an editorial stating that Rabin and Peres "must be placed before a firing squad." As one moderate settler leader later lamented, "Hundreds of people heard the word *rodef* used in connection with the late prime minister months before the murder."

The lethal wedding of religion with illiberal nationalism might have astounded Israel's founders, for whom Zionism promised not only the physical liberation of Jews from oppressive surroundings but also the psychological emancipation of the Jew from the "mentality of the ghetto." The secular socialists and nationalists who founded Israel were confident that Orthodox Judaism—a vestige of a vanished world—would whither in the rugged soil of the new pioneer state. The religious community of Israel was divided over theological implications of the modern state: the ultra-Orthodox (Haredim) viewed as heretical the establishment of a Jewish state before the coming of the Messiah (although this did not preclude their acceptance of state funds for their institutions); the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

modern Orthodox interpreted the founding of the state of Israel as a stage in God's promised redemption of the Jews from exile.

The conquest of the Old City of Jerusalem and the West Bank ("Judea and Samaria") in 1967 electrified many modern Orthodox Zionists who saw the hand of God in Israel's lightning six-day (evocative of the creation story in Genesis) victory. Following the election of Menachem Begin's Likud government in 1977, many settled in the West Bank to permanently weld the Israeli state to the territory of its Biblical antecedent. Settler ideology came to regard maintaining Jewish control over the Biblical "Land of Israel" as the supreme religious value—one that brooked no compromise.

The Israeli-Palestinian peace process of the 1990s precipitated a collision between classical Zionism and religious Zionism: "Most of secular Israel regarded the peace process as the crowning stage of the Zionist quest to accord the Jews physical security, as prerequisite to developing a new national and cultural life; most of the religious community perceived it as a plot to destroy Israel's essential Jewishness ... [But the secular community] sees the rejection of modernism, pluralism, and pragmatism as a throwback to the ills that Zionism emerged to cure."

The use of religion as a cover for political violence increased throughout the 1980s as religious Zionism (whose original motto had been "Torah and respect") assumed a more messianic, illiberal character. Influenced by the ideology of the American-born Rabbi Meir Kahane, who advocated theocratic rule and ethnic cleansing of Israel's non-Jewish population, terrorists planned and carried out attacks against Palestinians—including the car-bombing of three Arab mayors. Mainstream political leaders urged leniency for the perpetrators, while the religious establishment failed to unambiguously condemn the ideology that justified such actions. At Kahane's funeral in 1990, no less a figure than then-Chief Sephardi Rabbi of Israel Mordechai Eliyahu delivered the eulogy.

One student at Bar-Ilan University, the leading Orthodox university, recalled that after the 1994 massacre of Muslim worshippers by settler Baruch Goldstein in Hebron, "cries of joy were heard on the campus ... The majority [of students and faculty] said they were against the murder but that they understood Goldstein." (For Yigal Amir, the Hebron massacre became a litmus test: "To get to know a girl I ask her one question: 'What do you think of Goldstein?'") With the signing of the Oslo accords, extremist religious authorities extended the theological justification for violence against the Arab foe to the leaders of the Israeli government.

After Rabin's assasination, Shimon Peres and the Labor establishment failed to expose the extent to which mainstream leaders and institutions lent tacit or overt support to violent zealots. Obviously, the government that came to power in 1996 has had no incentive to do so—although Benjamin Netanyahu has discovered that the extremism he once stoked for partisan advantage is not so easily contained. He now wears a bullet-proof vest when visiting Jewish settlements in Hebron.

Murder in the Name of God tries to set the record straight. But one wonders whether such an exposé can help build a national community in a society divided into hostile blocs committed to mutually exclusive visions of what that society should be. Lacking such consensus, Israel may receive a critical examination of recent history as merely another installment in the Kulturkampf, rather than an opportunity to transcend it. Polls conducted after the assassination showed approximately one out of six Jewish Israelis either condoned or would not condemn the murder. For Orthodox youth, the figure was one in four.

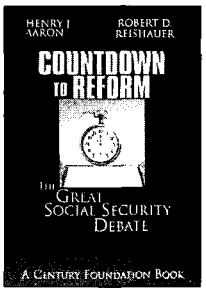
There is a Yiddish proverb: "Truth never dies.... But it leads a wretched life." *Murder in the Name of God* will ensure that the events surrounding the assassination of Yitzhak Rabin are sealed in the historical record. But it may be a long time before all Israel can remember and mourn together.

We're Online!

www.washingtonmonthly.com

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

To Stay Informed about the Social Security Debate . . .



COUNTDOWN TO REFORM *THE GREAT SOCIAL SECURITY DEBATE*

by ***HENRY J. AARON AND ROBERT D. REISCHAUER***

A Century Foundation Book

196 pages, cloth $24.95, ISBN 0–87078–423–4; paper $12.95, ISBN 0–87078–430–7. To order, call 1–800–552–5450; in D.C. call 797–6258

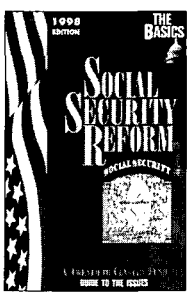
In this book, two of the nation's most widely respected economists argue that the "Chicken Little" view of Social Security — that future costs doom the current system — is exaggerated. They present thoughtful analyses of the major current proposals for "saving" Social Security and make recommendations for sensible reform.

The Twentieth Century Fund is changing its name to

THE CENTURY FOUNDATION

A New Name for a New Millennium

41 EAST 70TH STREET, NEW YORK, NY 10021 ◆ 212.535.4441 ◆ e-mail: info@tcf.org ● www.tcf.org



THE BASICS: SOCIAL SECURITY REFORM *REVISED 1998 EDITION*

A Century Foundation Guide to the Issues

48 pages, paper $4.50, ISBN 0–87078–400–5. To order, call 212–535–4441 or e-mail info@tcf.org—volume discounts offered.

This updated version of the Social Security volume in our popular Basics series is a straightforward, no-nonsense guide to the issues in the current debate. The volume describes the program, takes a look at what's right and what's wrong with Social Security, and shows how our system compares with those of other countries. It also offers an overview of the major proposed U.S. reforms.

SOCIAL SECURITY NETWORK

You'll find the latest information and analysis about the debate over the future of Social Security on this popular website, www.socsec.org. We keep up with the proposals, the players, the news, and the literature to help keep you informed about this important issue.

www.socsec.org

I have one site bookmarked for current, accurate, broad-based information on the current Social Security debate—www.socsec.org. *It's a great resource.*

—Donna Butts, executive director, Generations United

. . . Stay in Touch with THE CENTURY FOUNDATION

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tidbits & Outrages

A New Way to Deal With Saddam

Rev. Muhamed Siddeeq, spiritual advisor to Mike Tyson, told the New Jersey State Athletic Commission in July that the fighter is of such great character that not only should he get back his boxing license but is a candidate to succeed Kofi Annan as U.N. secretary general.

Life After Death 1

According to Virginia State auditors, 1,500 dead people are registered to vote in that state

She Had Misplaced the Brillo

An overzealous cleaner at India's Baroda Museum is in trouble after vacuum cleaning inside a dusty 3,000 year old mummy case.

His Wife was Using the Hair-dryer

In July, a Montana man was ticketed driving 104 in a 45 mph zone. According to the sheriff, the man said he had just washed his car and needed to drive fast to dry it off.

The Next Merger: BankOne and Burger King

The timers on the microwave ovens at a Burger King scared off a gunman who thought they were security alarms going off. The holdup man left without taking any money.

[illegible]ent Flyer Miles [illegible] be Nice , Too

[illegible] Reuters wire service [illegible] in Bonn, Germany, [illegible]king Group for the [illegible] called a series of ral- [illegible] six weeks annual [illegible] for people out of [illegible] pointed out that those [illegible] are often under [illegible] than those with jobs, [illegible] a longer holiday.

Life After Death 2

Despite having been murdered himself in 1994, a Honduran man was recently sentenced to 15 years in prison for a murder committed back in 1993.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Booknotes

Vox Populi

by Gregg Easterbrook

ELITISM IN THE FASHIONING of foreign policy, a fact of life for much of 20th century American politics and even an active goal of Walter Lippman's cohort, is now generally perceived as a defeated problem. The Foreign Service has been racially and sexually desegregated; the club-based WASP aristocracy is in shambles; everybody knows everything via the Web and CNN; Congress has become a 535-ring circus where foreign-policy hearings are a favorite sideshow; Washington is now so open and disordered that only the Supreme Court and the Federal Reserve still function as secret societies, and even they seem increasingly headline-driven. No diplomat has actually worn striped pants in a long time, or seems likely to don them again soon.

WHO SPEAKS FOR AMERICA?
Why Democracy Matters in Foreign Policy
by Eric Alterman
Cornell University Press, $25

Nevertheless, posits journalist and commentator Eric Alterman, U.S. foreign policy remains "deliberately shielded from the effects of democratic debate, with virtually no institutionalized democratic participation." Alterman, who writes for *The Nation* and is a senior fellow at the prestigious World Policy Institute, believes that between White House primacy on trade and military-deployment issues and the continuing prevalence of a chummy, self-referential Ivy League contingent at the National Security Council, State Department, Council on Foreign Relations, and a few related organizations, the foreign policy establishment stands fast as "For Professionals Only." This is a view once often heard from the right; Alterman phrases it mainly from the left. He cites, for example, the 1998 Ohio State University public forum, staged at a time when the Clinton Administration was preparing voter opinion for what it thought would be a new round of attacks on Iraq, at which Secretary of State Madeleine Albright acted huffy and disdainful of the public when audience members barraged her with the sort of antagonistic questions from which she is normally screened.

Because it argues against the grain—asserting that something society is inclined to dismiss actually does remain a problem—*Who Speaks for America?* sits square in the tradition of the book that should be read precisely because it's full of material we think we do not need to read. Alterman has produced a volume that is well-written, vigorous, and perceptive. But has he made his case?

Anyone arguing for more democratization of foreign policy must first deal with the Framers who, along with pivotal Enlightment theorists such as Locke and Rousseau, specifically excluded foreign affairs from the inventory of government functions that the common person should control. There were many reasons the original liberal republicans felt foreign policy should be for leaders and specialists: from anxiety about warlike mass opinion; to the worry that typical voters would be ignorant of issues beyond their daily sphere of experience; to the 18th-century presumption that great states require powerful diplomats to speak for them; to simple fear that affairs between nations would become hopelessly cumbersome if, in effect, everybody had to be consulted. In well-done chapters on the history of foreign-policy theory, Alterman proposes answers to all but the last of these concerns. Think, for example, of how much chaotic influence Congress already exerts on foreign policy making, favoring more technology trade with China one year and banning such trade the next year, to cite a recent flip-flop.

Congress is a subject that *Who Speaks for America?* doesn't handle well. The legislature is already highly democratic, perhaps hyper-democratic, and is the institution the Framers thought would solve representational problems. But Alterman dismisses the House and Senate by calling them corrupted and peopled by hooligans "sell[ing] their votes to the highest bidder while spending the balance of their working days searching for potentially higher bidders." This view is problematic, to say the least: If senators and representatives are scoundrels, isn't it the public's will that seated those scoundrels? And if foreign policy were democratized, how would typical men and women suddenly manifest significantly more wisdom in the selection of international goals than they now do in the selection of members of Congress? Alterman's views of Congress seem too influenced by the ephemera of the current reversionary majority. Not that long ago Congress was a leading progressive force in American life, and there's no reason to think that it cannot play this role again.

For a book whose thesis requires that typical people be smarter than "The Experts", *Who Speaks for America?* displays puzzling ambivalence about the public mind. At several points Alterman dismisses opinion sampling as a gauge of democratic sentiment, warning that "the public's own well-documented ignorance about even the broadest outlines of major foreign policy issues makes polling data on these issues particularly suspect." But at other points, he uses polls to suggest that typical women and men would back policies different than those favored by the privileged few: citing polls to show, for example, that today "84 percent of elite respondents would go to war to defend South Korea from a North Korean invasion, while only 45 percent of the public would," and similar divergences. If most people are ignorant of foreign

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

affairs and the polls can't be trusted, why is this sort of data in Alterman's book?

And assuming the elite-everyman Korean divergence is correct, what does this really tell us? It might mean typical people are more peaceful than elites; or that typical people don't care about potential victims in South Korea, while elites are more broad-minded and do care; or that elites are willing to sanction war because no one from their class will serve and die, whereas typical people and their sons and daughters do. Though everyday Americans are this book's heroes, we don't encounter many as interview subjects, so we can only guess as to how their foreign policy views really differ from those of the dreaded Experts.

Having rejected polls, plebiscites, and the legislature as agents of foreign policy democratization, Alterman suggests that a new institution be created, a foreign policy advisory counsel similar to a trial jury. Typical citizens would run for election to single terms as foreign policy advisors. (It's not clear how typicalness would be determined; presumably anyone whose last name ends in a Roman numeral would be declared ineligible.) Election would bring a six-year commission, long enough to become familiar with the details of foreign policy; but re-election and fundraising would be forbidden, removing, Alterman supposes, any incentive for a typical citizen, once chosen as a foreign policy counselor, to sell out to interest groups. (Why interest groups wouldn't start the process by fielding candidates for the advisory boards he doesn't explain.) The advisory juries would engage in heartfelt debate, respecting and listening to each other as, it is widely agreed, trial juries of typical citizens usually do. Gradually authority over foreign policy would be transferred to these groups; Foreign Service Officers and the national security apparatus would answer to democratic advisory boards, not the White House or the alphabet agencies. This idea has obvious drawbacks, but merit as well. Perhaps, in the spirit of laboratories of democracy, some foundation could fund the establishment of a trial-run citizens' foreign policy advisory panel, to see if the body would work and produce any valuable ideas. Even one good idea from a citizen's advisory panel would more than justify the investment.

Democratic foreign policy forged by citizens' juries might seek, Alterman suggests, "stable peace," free trade tempered by job security and better conditions for developing world workers, "realistic" control of immigration, more effective foreign aid, "a global effort to reduce the worldwide flow of arms," and an end to covert action and support for dictators. But how different is this list from the goals of the existing foreign policy elite, except on tolerance of dictators?

At many points, *Who Speaks for America?* implies that there are multiple foreign policy questions on which the ideal course would be clear to the common person but is being avoided, for shadowy reasons, by entrenched foreign affairs cadres. This seems implausible. Consider the Korea question, for example. It is far from certain whether, if North Korea attacked South Korea, American military intervention would be good or bad, noble or conniving; a public-driven decision not to intervene might run the same risk of going badly haywire as an elite-driven impulse to act. Few members of the striped-pants set are privately scheming for war, industrial decline or arms proliferation. They're just unsure of how best to reach goals like "stable peace," exactly as citizens' advisory juries would be.

GREGG EASTERBROOK *is a senior editor of* The New Republic, *a contributing editor of* The Atlantic Monthly *and author of* Beside Still Waters: Searching for Meaning in an Age of Doubt. *(William Morrow).*

Underwater Spies

by David Ayer

IN 1987, JUST OUT OF HIGH school, I joined the Navy and after a difficult training program found myself as a Sonar Operator on a nuclear attack submarine. Our operations consisted mainly of training work-ups ("drilling and killing") and fleet exercises in which our smaller, older boat would play the bad guy, sneak in through the anti-submarine defenses and torpedo the Admiral's command ship again and again and again. After a series of inspections culminating in our receiving renewed reactor safety and weapons certifications, one ominous day the whole crew filled out their wills and we deployed on a two month "Spec Op." I had no idea what happened on a Special Operation and none of the more experienced sailors would tell me; they took great pride in their ability to keep their mouths shut. That first day on station was the most exciting of my life.

And that was just the first day. After sixty-seven days continuously submerged, and running out of food, we surfaced off the beautiful California coast and pulled into San Diego with a very skinny crew. I am still legally prohibited from discussing where we went and what we did, which is why I will be forever grateful for the book *Blind Man's Bluff.* It is a godsend for veteran submariners who have had to explain away long absences from their families with the simple euphemism "special operations."

With Naval security agents on their heels, *The New York Times* investigative journalists Sherry Sontag and Christopher Drew have made a successful end run around stacks of secrecy oaths and the locked lips of the Silent Service to make public some of the most astounding military operations of the Cold War. It is a surprisingly complete account of how the ultimate stealth war machine, the nuclear submarine, became the ultimate spy platform in a strange marriage between the Navy's "go to hell and back" submarine captains and the CIA's spooks. Together they engaged in the world's second oldest profession, spying, and achieved some amazing successes, as well as the occasional blunder.

This book will be an eye opener for those who think the Cold War was a mere sitzkreig as Warsaw Pact and NATO armies eyeballed each other across the Iron Curtain. Undersea the Cold War was boiling hot, as the U.S. Navy engaged in incredibly aggressive

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This Holiday Season, Give Them Frankness, Sense, and Mirth . . .

The Washington Monthly

Give everyone on your list something they can really use: **The Washington Monthly.** Now you can share us with your friends at a great price! You get the first subscription for $26, then every subscription after that is only $18!

Special Holiday Gift Offer

Please enter a one year gift subscription for: (The gift can be for yourself if you are a new subscriber.)

1 Name _____
Address _____
City _____
$26 Gift card message _____
_____

2 Name _____
Address _____
City _____
$18 Gift card message _____
_____

3 Name _____
Address _____
City _____
$18 Gift card message _____
_____

Name _____
Address _____
City _____ State _____ Zip _____
Charge my: ❑ VISA ❑ MasterCard
Account Number _____ Expiration Date _____
Signature _____
❑ $ _____ enclosed. ❑ Bill me later. A8A01
Send to The Washington Monthly 1611 Connecticut Ave. NW Washington DC 20009

Foreign subscriptions please add $7 for surface delivery or $32 for air-mail delivery for each subscription.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

operations against Soviet Naval forces, concealing the dangers from the American leadership, often going so far as to falsify patrol reports. Thousands of sailors ventured into harm's way as American subs maintained year round vigils off the Soviet coastline, even venturing into its territorial waters as they carefully cataloged the latest Soviet weapons developments.

BLIND MAN'S BLUFF:
The Untold Story of American Submarine Espionage
by Sherry Sontag and Christopher Drew
Public Affairs, $25

In one of the more gripping incidents detailed in the book, the USS Seawolf was on the bottom of the desolate Siberian Sea of Okhotsk, tapping undersea telephone cables, when a powerful storm threatened to bury her in the seabed. In a desperate moment, Seawolf's captain contemplated detonating the high explosive scuttling charges that would prevent his submarine and its crew from falling into Soviet hands.

One disturbing revelation may lay to rest wild rumors that have circulated in the submarine community for decades regarding the USS Scorpion. Lost with all hands in the Atlantic in 1968, the Soviets were often accused of torpedoing the boat. Presenting new evidence, the book's authors make the case that the tragedy was caused by a weapons malfunction and could have been prevented by the Navy with a simple modification to its torpedoes.

Packed with real life adventures that Tom Clancy could only have guessed at, the book is more than a collection of sea stories. It reveals how submarine operations during the Cold War had a profound impact on strategic decisions made in the Kremlin and Washington. While the superpowers conducted peacetalks, their submarines, armed with nuclear weapons, were colliding with each other on a regular basis.

In November 1969, when U.S. and Soviet relations were moving towards detente, the USS Gato collided with a Soviet Hotel class missile submarine in the Barents Sea a mere two days before arms control talks were to begin in Helsinki, Finland. Though there were no injuries and neither sub was seriously damaged, the Soviet Navy believed the Gato had sunk. They scoured the Barents for her corpse, which Soviet negotiators could have used as proof of American bad faith in the negotiations. Following the orders of Atlantic Fleet Commanders, the Gato's Captain falsified patrol reports to indicate he had discontinued his patrol two days before the collision. President Nixon was not apprised of the accident. Thus the Navy was able to continue high-risk operations despite the fears Soviet and American leaders often expressed that World War III would begin with just such an incident. Submarine collisions aren't just a part of Cold War history: in March 1993 the USS Grayling collided with a Russian Delta IV missile submarine, prompting President Clinton to give Russian President Boris Yelstin a formal apology.

The book presents an eclectic complement of true life characters, such as the colorful boat skippers who competed to pull off even more daring feats of underwater brinkmanship, scientists who made the missions feasible, and the spooks who rode the boats operating custom built spy gear. Men who participated in some of the most successful and secret espionage activities in U.S. history finally receive a long overdue tip of the hat.

One of these operations, authorized by President Carter and culminating in the Reagan years, was another telephone cable tapping operation, this time in the Barents Sea. Traveling northward from San Francisco, under the North Pole, and into the Barents, the USS Parche successfully placed a sophisticated nuclear powered tap pod on the ocean floor that would continuously record from hundreds of phone lines for a year. It was this tapping operation that yielded an intelligence take that officials dubbed the "big casino." In response to a 1983 NATO exercise called Able Archer in which NATO forces practiced release procedures for tactical nuclear weapons, the Soviets placed their conventional and nuclear forces on alert. It was all caught on tape, providing an unparalleled look deep into the Soviet defense system and the minds of the men who controlled it.

Lock the doors and draw the shades, because this book is a well written, highly readable account of man and machine working together to do the impossible for the highest of stakes.

DAVID AYER, *a former enlisted sailor aboard the USS Haddo, is now a screenwriter whose most recent project was Universal Studios' World War II submarine adventure* U-571.

Laws for Sale

by Peter Overby

WHEN KENNETH STARR SENT his report to Congress this summer, President Clinton's relationship with Monica Lewinsky wasn't the only one he deemed noteworthy.

In what Starr labeled the "President's Day [February 19] Break-up," the intern was worried about the relationship. She went, uninvited, to the Oval Office. The president tried to call it quits. She argued; he insisted. As she left, she later told the grand jury, Clinton was on the phone with "a sugar grower in Florida whose name, according to Ms. Lewinsky, was something like 'Fanuli.'" Starr tells us it was Alfonso Fanjul, of the sugar-baron Fanjuls of Palm Beach, and that Clinton and Fanjul talked for 22 minutes. Alfie Fanjul and his brother, Jose, have a soft-money tag team: Alfie is one of the Democrats' top donors; Jose gives hundreds of thousands to the G.O.P.

THE BUYING OF CONGRESS
by Charles Lewis and the Center for Public Integrity
New York, Avon Books, $25

Even for a president, some relationships are less expendable than others.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

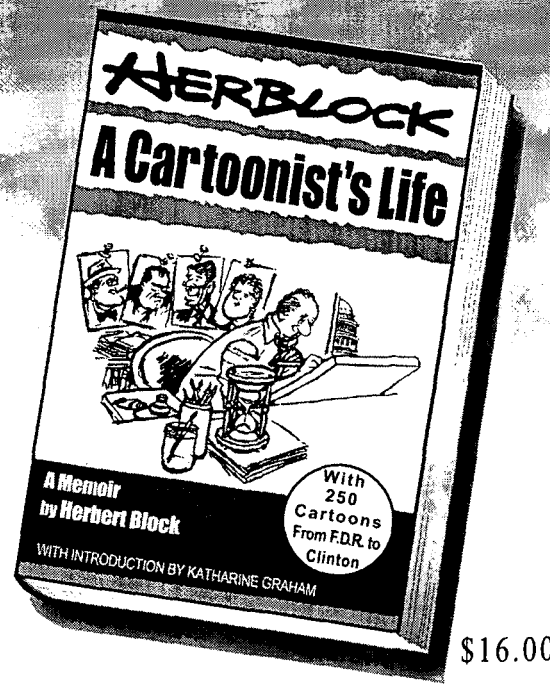
These kinds of lasting relationships are the stuff of *The Buying of the Congress*, the latest and most comprehensive work from Charles Lewis and the Center for Public Integrity. Lewis is the Clark Kent of the money-and-politics beat—modest, dogged, and with the Center's investigators backing him up, able to leap the Federal Election Commission building in a single bound. *Buying* is the center's first book since Lewis was blessed as a genius by the MacArthur Foundation. It's further evidence that in today's Washington journalism, nobody else works as hard at investigating the twin roles of money and influence.

The Buying of the Congress does have a few shortcomings. Four hundred pages can hold a lot of sordid episodes, but not enough detail to capture Congress in all its glory. Compared to Brooks Jackson's *Honest Graft* (revised edition: Washington, D.C., Farragut Publishing Co., 1990)—the tale of how Tony Coehlo and the Democrats pursued campaign funds straight into the S&L crisis, and still, I believe, one of the best on the subject—this isn't a story with a strong narrative. Potential investigations, potential books zip by as Lewis rattles off case after case of Congress' attentiveness to its benefactors' needs. One of the book's most intriguing features, an appendix of "Top Ten Career Patrons of Congressional Leaders," cries out for a chapter of its own.

That said, *The Buying of the Congress* does its job more thoroughly than anything that's come before. Lewis succeeds where most money-and-politics reportage (including my own) fall short: showing the link between Capitol Hill and ordinary life. As Lewis writes, "You literally cannot go to your supermarket, the local drugstore, the hospital emergency room, or the nursing home where your loved one is being cared for without being directly affected by decisions made in Congress. You cannot watch TV, take a flight on an airplane, pay your taxes, or eat dinner without being affected by laws enacted by Congress. You simply cannot tune out or escape the fact that Congress is a significant, relevant force in your life."

A contrarian thought for the '90s,

NOW in Paperback
With an added chapter and 70 more cartoons!



$16.00

The qualities that established Herbert Block as the greatest cartoonist of his time are more than evident in this story of his life.
—John Kenneth Galbraith, *The Washington Post*

He's still at the top of his form. "Herblock: A Cartoonist's Life" is a professional autobiography. . . **spiced with history and with anecdotes about people he has known and caricatured.**
—Edward Sorel, *New York Times*

This illustrated autobiography. . . is a priceless read.
—Jeff Danziger, *Christian Science Monitor*

TIMES BOOKS

1-800-793-2665

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

but one well documented. One chapter dissects the grocery bills of a Massachusetts family to show how crop insurance, dairy price supports, and agricultural marketing programs prop up the prices. Lewis notes that the government's depression-era sugar policies cost consumers about $1.4 billion a year, that Congress regularly votes to maintain those policies, and that the Fanjul family has made political contributions of $2.6 million or so since 1979. It's a nice illustration of the imbalance between politics and commerce: a large chunk of the $1.4 billion each year, versus $2.6 million spread over 10 years. Lewis says the Massachusetts couple gave the '92 Clinton campaign 25 bucks. In a world of Fanjuls, Archer-Daniels-Midland and the rest, that's not the kind of gesture that makes a president pick up the phone.

Without saying so directly, Lewis also takes on one of the pet theories in political science. Some academics like to argue that because they can't show a statistical correlation between campaign contributions and recorded votes, the whole money-and-politics business is wildly exaggerated. No specific quid pro quo, no harm, no foul. It doesn't take a political wizard to see the logical flaws. Capitol Hill runs on long-standing relationships that are facilitated with money and all manner of other things. On the lobbying side, only a fool would hold back contributions until the bill was coming up for a vote. Lobbyists are there when bills are conceived, drafted, and especially when they're killed. Up-or-down votes reflect only a fragment of what Congress actually does.

In sum, the crafts practiced by the legislative branch vigorously resist quantification. One example: this fall's 4,000-page omnibus appropriations bill, its contents a mystery to most who voted on it. Another example: A 1994 letter to Food and Drug Administration commissioner David Kessler, from 34 senators and 124 House members, warning him to back off regulating tobacco. No legislation here, but the letter's signers averaged three times as much tobacco money as non-signers. There's an argument that most of those signers came from tobacco country, or had some other non-monetary interest. But Kessler, in an interview with the Center, said those interests paled next to big tobacco's money: "The money was so powerful, and it was money all over Washington ... The financial influence clouds everything."

Advocates of free-market political campaigns will argue that the book sees campaign finance shenanigans where there are none. The subtitle, after all, is "How Special Interests Have Stolen Your Right to Life, Liberty, and the Pursuit of Happiness."

FOLLOW IN FAMOUS FOOTSTEPS ...

The *Monthly* is seeking applicants for winter/spring interns. These unpaid internships involve all aspects of magazine publishing, including production, business, research, and writing. Past interns have gone on to careers at *The New York Times*, *The Wall Street Journal*, the *Los Angeles Times*, *The Washington Post*, *U.S. News & World Report*, *Newsweek*, *The New Republic*, *Slate*, *Brill's Content*, the State Department, the Department of Justice, and the White House.

Applicants should send a cover letter, resumé, and writing samples to: **Megan Dominish, *The Washington Monthly*, 1611 Connecticut Ave., NW, Washington, D.C. 20009**, fax us at **202/332-8413**, or email to **mdominish@washington-monthly.com**.

...INTERN AT THE MONTHLY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Then again, we've just finished the nation's first billion-dollar midterm election. Can all those investors be wrong? In Washington, it's still a bull market.

PETER OVERBY *covers money and politics for* NATIONAL PUBLIC RADIO.

Golden Years

by James A. Fallows, M.D.

AN EMBARRASSING PRESIDENTIAL defeat was followed by financial reverses back in Plains. Jimmy Carter had no fixed plan for his coming years. Gradually a satisfying way of life evolved. This book tells of the spirit and philosophy that has brought Jimmy Carter to say "Now...is the best time of all." He describes the title word, Virtue, as "The blessings that come to us as we grow older and what we have to offer that might be beneficial to others."

I have followed Jimmy Carter's career since my son worked as his chief speechwriter. I am also the same age as Carter, and as a physician I have been a part of patients' lives as they aged. "When are we old?" asks Carter. "[W]e are when we accept an attitude of dormancy, dependence on others, substantial limitation of physical and mental activity, and restrictions on the number of people with whom we interact." He encourages the stimulation and satisfaction of adult studies, Elder hostels, talking books, family history, a cleanout or change of house, a get-away-from-it-all adventure, and the Internet. His sound advice to preserve health includes proper diet, moderate exercise, and a listing of sensible health habits. In my medical practice as I followed patients for thirty to thirty-five years, body, mind, and spirit—all affected a person's retirement years.

Those who exercised within their limits were more alert and exuberant. In the same way that I phased from football and wrestling in college to tennis and horseback riding in the middle years to my present bicycling, most people can adjust their exertions to the physical changes of passing years. Aside from the health benefits of fitness, the increase of zest and alertness from exercise makes it worthwhile.

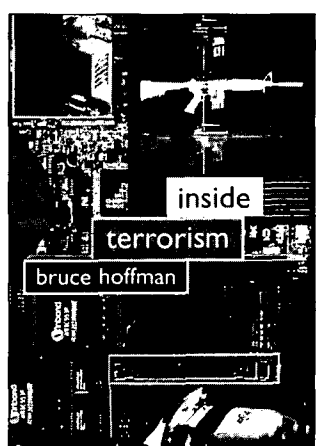
I have noticed that those who pursued absorbing goals kept a younger attitude, a more cheerful approach, and an eagerness for each day. Each of us has special talents or past experiences that in retirement can be put to the assistance of others. Jimmy Carter has not only been able to pound nails for Habitat for Humanity, as any of us could do, but has used his unique past to help American diplomacy, most notably in North Korea, where his efforts for peace proved to be indispensable.

THE VIRTUES OF AGING
by Jimmy Carter
Ballantine, $18.95

My comparatively limited scope and talents have allowed me to apply a medical background and long experience with computers to helping on a local level. I sometimes do internet searches to explain illness and treatments to friends and former patients. More frequently I make volunteer computer house calls to help someone starting with a computer or stuck with a problem. My friend Tom Rash, totally blind, not only operates a radio broadcast station, AudioVision for the Blind, but also uses his computer to write scripts, create letters and financial reports, and send email. And Jean Canon, who when I came to Redlands, California, was by herself the answering service for the Beaver Medical Clinic, bought a computer when she retired and learned to use it as a volunteer to coordinate the 21 educational grants of the Beaver Medical Clinic Foundation.

As a physician I have observed that older people who have been idle and kept to themselves with no day-to-day purposes or works appear not only to have aged more quickly but actually to suffer more somatic symptoms. The book gives practical steps to happy, healthy, and productive later years. I recommend it as a guide to those coming to retirement and as a stimulus to a richer way of life to those who are already retired.

JAMES A. FALLOWS *is a retired physician living in Redlands, Calif.*



"A valuable work....
falls into the category of 'must read,' at least for anyone who wants to understand how we can respond to international acts of terror."
—Raymond Bonner,
New York Times Book Review

A chilling portrait of the changing face of terrorist activity from the director of the Centre for the Study of Terrorism and Political Violence at St. Andrews University and the former director of terrorism research at the RAND corporation.

278 pages • $24.95, cloth

Inside Terrorism
Bruce Hoffman

columbia.edu/cu/cup • 800-944-8648
Columbia University Press

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Monthly's Holiday Book List

Our Favorite Books from 1998

A Country of Strangers: Blacks and Whites in America, by David K. Shipler

A Hope in the Unseen: An American Odyssey from the Inner City to the Ivy League, by Ron Suskind

A Man in Full, by Tom Wolfe

A Mother's Place: Taking the Debate About Working Mothers Beyond Guilt and Blame, by Susan Chira

Articles of Faith: A Frontline History of the Abortion Wars, by Cynthia Gorney

Blind Man's Bluff: The Untold Story of American Submarine Espionage, by Sherry Sontag and Christopher Drew

Calamaties of Exile: Three Nonfiction Novellas, by Lawrence Weschler

Chechnya: Calamity in the Caucasus, by Carlotta Gall & Thomas de Waal

Ecology of Fear: Los Angeles and the Imagination of Disaster, by Michael Davis

George Bush: The Life of a Lone Star Yankee, by Herbert S. Parmet

Governing With the News: The News Media as a Political Institution, by Timothy E. Cook

Lawyer, by Arthur Liman

Murder in the Name of God: The Plot to Kill Yitzak Rabin, by Michael Karpin and Ina Friedman

No Regrets: The Life of Marietta Tree, by Caroline Seebohm

Official Negligence: How Rodney King and the Riots Changed Los Angeles and the LAPD, by Lou Cannon

One Nation, After All: How the Middle Class Think About God, Country, and Family, by Alan Wolfe

Our Man in Belize, by Richard Timothy Conroy

Out of Order: Arrogance and Incompetence in the Bench, by Max Boot

Reaching Beyond Race, by Paul Sniderman & Edward G. Carmines

Secrecy: The American Experience, by Sen. Daniel Patrick Moynihan

Someone Else's House, by Tamar Jacoby

Sotheby's: Bidding for Class, by Robert Lacey

Spin Cycle: Inside the Clinton Propaganda Machine, by Howard Kurtz

Standards For Our Schools: How to Set Them, Measure Them, and Reach Them, by Marc Tucker and Judy Codding

Strangers Among Us: How Latino Immigration is Transforming America, by Robert Suro

The Buying of the Congress, by Charles Lewis

The Collapse of the Soviet Military, by William E. Odom

The Fix, by Michael Massing

The Magic Kingdom: Walt Disney and the American Way of Life, by Steven Watts

There's Nothing in the Middle of the Road But Yellow Stripes and Dead Armadilloes, by Jim Hightower

To End a War, by Richard Holbrooke

Twilight in the Line: Underworlds and Politics at the U.S.-Mexican Border, by Sebastian Rotella

Unwinnable Wars: American Power and Ethnic Conflict, by David Callahan

~Happy Holidays from the staff at the Monthly!!

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

OUR REPORTING IS NEVER KNEE-JERK.

(IT'S MORE LIKE A SWIFT KICK IN THE GROIN.)

MOTHER JONES

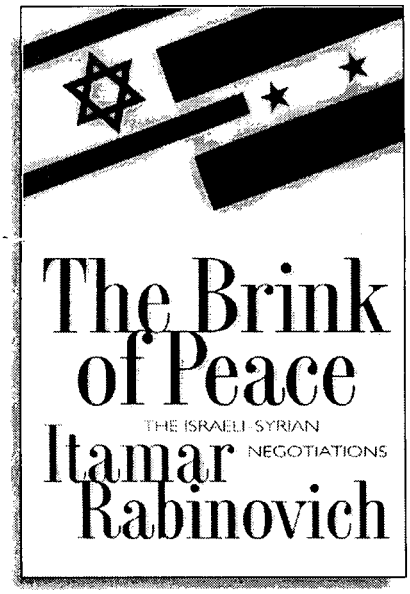
THE REST IS JUST MASS MEDIA

Here at *Mother Jones* we've earned a reputation for hard-hitting investigative journalism that makes you think. And makes you laugh. Because if we're going to hit you where you live, we'd better maintain a healthy sense of humor. Get a risk-free copy of *Mother Jones* today. If you like reporting that doesn't toe the party line, you can get 5 more issues (*a full year in all*) for just $12. Or you can cancel and owe nothing. Either way, the trial issue is yours to keep.

SUBSCRIBE TO A DIFFERENT POINT OF VIEW. CALL 1-800-GET-MOJO.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

NEW FROM PRINCETON



The Brink of Peace

The Israeli-Syrian Negotiations

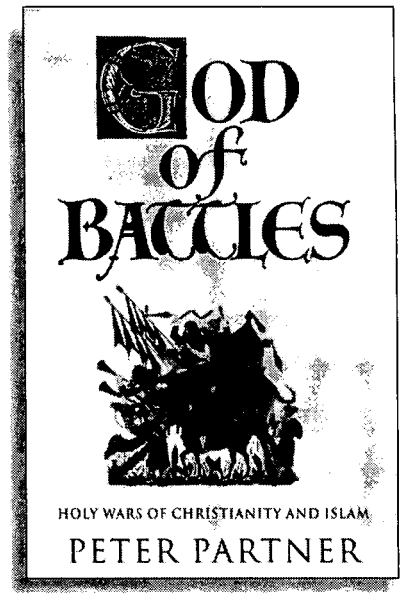
Itamar Rabinovich

A major casualty of the assassin's bullet that struck down Israeli Prime Minister Yitzhak Rabin was a prospective peace accord between Syria and Israel. For the first time, a negotiator who had unique access to Rabin, as Israel's ambassador to the U.S. and chief negotiator, tells the inside story of the failed negotiations.

During the period from 1992 to 1996, Itamar Rabinovich was Israel's ambassador to Washington, and the chief negotiator with Syria. He portrays all sides and participants with remarkable flair and empathy, as only a privileged player in the events could do.

"Written with gusto and clarity, this book combines scholarly depth with the unique perspective of a direct, key participant in the negotiations."
—Warren Christopher, former U.S. Secretary of State

Cloth $24.95 ISBN 0-691-05868-7



New in paperback

God of Battles

Holy Wars of Christianity and Islam

Peter Partner

What makes a war "holy," and who decides that it is? *God of Battles* examines the origins of holy war, and how it affects the modern world. From the pre-Christian era to the Gulf War, this book places the *jihad* of the East and the Crusade of the West in their historical context, and warns against allowing crusading war propaganda to affect our judgments today.

"The best part of this excellent book concerns the shifting traditions of Islam in the nineteenth and twentieth century . . . . This is the only book I have read that comes to a fair and intelligent judgement on the Ayatollah Khomeini."
—Andrew Wheatcroft, *Sunday Times* (London)

Paper $16.95 ISBN 0-691-00235-5

PRINCETON UNIVERSITY PRESS

AT FINE BOOKSTORES OR CALL 800-777-4726 • HTTP: //PUP.PRINCETON.EDU

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED